

Bradley.	Morse.
Dunlap.	Nicholson.
Enderby.	Olsen.
Eickenroht.	O'Neill.
Gates.	Patterson.
Graves of Erath.	Reader.
Harding.	Reid.
Harrison.	Richardson.
Hefley.	Shaver.
Hines.	Sherrill.
Johnson of Scurry.	Stevenson.
Kayton.	Storey.
Keeton.	Thompson.
Kenyon.	Waddell.
Long of Wichita.	Webb.
Mankin.	Wiggs.
Montgomery.	Woodruff.

Absent—Excused.

Baldwin.	Mosely.
DeWolfe.	Pool.
Ewing.	Prendergast.
Finn.	Savage.
Kemble.	Strong.
Martin.	Warwick.
McKean.	Westbrook.

(Mr. Bradley in the chair.)

ADJOURNMENT.

Mr. Hardy moved that the House recess to 10 o'clock a. m. tomorrow.

Mr. Anderson moved that the House adjourn until 9:30 o'clock a. m. tomorrow.

The motion of Mr. Anderson prevailed, and the House accordingly, at 6:25 o'clock p. m., adjourned until 9:30 o'clock a. m. tomorrow.

SIXTEENTH DAY.

(Friday, February 14, 1930.)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called and developed the fact that there was not a quorum present.

Mr. Holder moved a call of the House for the purpose of securing a quorum, and the call was duly ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Holder, the Sergeant-at-Arms was instructed to bring

in all absent members within the city who are not ill.

The roll was again called, and the following members were present:

Mr. Speaker.	Kennedy.
Acker.	Kincaid.
Ackerman.	King.
Adkins.	Kinnear.
Albritton.	Land.
Allred.	Lee.
Anderson.	Lemens.
Avis.	Long of Houston.
Baker.	Long of Wichita.
Barnett.	Loy.
Bateman.	Magee.
Beck.	Mankin.
Bond.	Marks.
Bounds.	Mauritz.
Bradley.	Maynard.
Brice.	McCombs.
Brooks.	McDonald.
Carpenter.	McGill.
Chastain.	Mehl.
Coltrin.	Metcalfe.
Conway.	Minor.
Cox of Lamar.	Moore.
Cox of Limestone.	Morse.
Davis.	Mosely.
DeWolfe.	Mullally.
Dunlap.	Murphy.
Enderby.	Negley.
Eickenroht.	Nicholson.
Farrar.	Olsen.
Finlay.	Palmer.
Forbes.	Patterson.
Gates.	Pavlica.
Gilbert.	Petsch.
Giles.	Pope of Jones.
Graves	Pope of Nueces.
of Williamson.	Purl.
Graves of Erath.	Quinn.
Hardy.	Ray.
Harding.	Reader.
Harman.	Renfro.
Harper.	Richardson.
Harrison.	Riley.
Heaton.	Rogers.
Hines.	Rountree.
Hogg.	Sanders.
Holder.	Shelton.
Hopkins.	Sherrill.
Hornaday.	Simmons.
Hubbard.	Sinks.
Jenkins.	Snelgrove.
Johnson	Speck.
of Dallam.	Stephens.
Johnson	Storey.
of Dimmit.	Tarwater.
Johnson of Smith.	Terrell.
Johnson of Scurry.	Tillotson.
Jones.	Turner.
Justiss.	Van Zandt.
Kayton.	Veatch.
Keeton.	Waddell.
Keller.	Wallace.
Kemble.	Walters.

Webb.	Williams
West.	of Hardin.
Westbrook.	Williams
Williams	of Travis.
of Sabine.	Young.

Absent.

Duvall.	O'Neill.
Fuchs.	Reid.
Hefley.	Shaver.
Kenyon.	Stevenson.
Montgomery.	

Absent—Excused.

Baldwin.	Savage.
Ewing.	Strong.
Finn.	Thompson.
Martin.	Warwick.
McKean.	Wiggs.
Pool.	Woodruff.
Prendergast.	

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Woodruff for today and the balance of the week, on motion of Mr. Olsen.

Mr. Wiggs for today, on motion of Mr. Kincaid.

Mr. Baldwin for today and the balance of the week, on motion of Mr. Westbrook.

Mr. Kenyon for today, on motion of Mrs. Moore.

Mr. Thompson for today and the past several days on which he has been absent, on motion of Mr. Morse.

The following member was granted leave of absence on account of illness:

Mr. Savage for today and indefinitely, on motion of Mr. Davis.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

By Mr. Murphy:

H. B. No. 100, A bill to be entitled "An Act to repeal Chapter 76, Special Laws of the First Called Session of the Fortieth Legislature of 1927, entitled 'Polk County Road Law,' creating a more efficient road system for Polk county, Texas, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Kemble:

H. B. No. 101, A bill to be entitled "An Act providing that certain cities having the population requirements set forth herein may acquire and own special assessment certificates issued in connection with street improvements; that such cities may pledge and impound said certificates as the basis for the issuance of special improvement bonds subject to the limitations and provisions of this act; providing for use of funds from the sale of such bonds; providing that such bonds shall not be reckoned determining charter, constitutional or statutory bond limitations, and shall not constitute indebtedness of the city contemplated under certain provisions of the Constitution; prescribing statutory duties imposed on such cities when such bonds are issued."

Referred to Committee on Municipal and Private Corporations.

BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

H. B. No. 7, "An Act to repeal Chapter 95, Acts of the First Called Session of the Forty-first Legislature, 1929, and declaring an emergency."

BILLS ORDERED NOT PRINTED.

On motion of Mr. Petsch, House bill No. 97 was ordered not printed.

On motion of Mr. Land, House bill No. 86 was ordered not printed.

On motion of Mr. Bond, House bill No. 98 was ordered not printed.

On motion of Mr. Morse, Senate bill No. 24 was ordered not printed.

On motion of Mr. Renfro, House bill No. 96 was ordered not printed.

On motion of Mr. Hardy, House bill No. 99 was ordered not printed.

On motion of Mr. Metcalfe, Senate bill No. 29 was ordered not printed.

On motion of Mr. McGill, Senate bill No. 43 was ordered not printed.

On motion of Mr. Tarwater, House bill No. 63 was ordered not printed.

On motion of Mr. Williams of Travis, Senate bills Nos. 89 to 93, inclusive, were ordered not printed.

On motion of Mr. Kemble, House bill No. 101 was ordered not printed.

On motion of Mr. Holder, Senate bill No. 27 was ordered not printed.

On motion of Mr. Hines, Senate bill No. 63 was ordered not printed.

BILL ORDERED PRINTED IN MIMEOGRAPH FORM.

On motion of Mr. Metcalfe, Senate bill No. 74 was ordered printed in mimeograph form and not otherwise printed.

RELATIVE TO ILLNESS OF HON. PAUL FINN.

Mr. Long of Wichita offered the following resolution:

Whereas, We have just learned that our esteemed member of the House of Representatives, the Hon. Paul Finn, lies ill in the Emergency Hospital, 700 Brazos Street; therefore, be it

Resolved, That a committee be appointed from among the members of the House to call on Mr. Finn and render any assistance that might be necessary; and be it further

Resolved, That the House have delivered to Mr. Finn a bouquet of flowers.

Signed—Long of Wichita, Murphy, King, Young, Palmer, Wallace.

The resolution was read second time, and was adopted.

RELATIVE TO ACCEPTING CERTAIN INVITATION.

Mr. Young offered the following resolution:

Whereas, The University Club, located at 2302 San Antonio Street, in the city of Austin, is preparing an entertainment for the members of the Legislature and their wives on the night of February 15, 1930, at 8 o'clock p. m.; therefore, be it

Resolved, That the House of Representatives accept this invitation.

The resolution was read second time, and was adopted.

HOUSE BILL NO. 4 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 4, A bill to be entitled "An Act amending Article 3936 of the 1925 Revised Civil Statutes of the State of Texas, so as to change the fees of constables in justice of the peace courts so as to make them the same as the fees received by sheriffs in the justice of the peace courts, and declaring an emergency."

The bill was read third time.

On motion of Mr. Keller, the bill was laid on the table subject to call.

HOUSE BILL NO. 10 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 10, A bill to be entitled "An Act to provide that the Texas Prison Board shall arrange for schools in all of the penitentiaries and penitentiary farms of the State of Texas, providing for compulsory instruction of illiterates and hours of attendance that credit shall be given on sentence for attendance and instruction in such schools; that the chaplain shall be charged with the duty of organizing and supervising such schools; that instructors shall be prisoners so far as practicable, and that the Texas Prison Board shall make rules and regulations making effective the provisions of this act."

The bill was read third time, and was passed.

SENATE BILL NO. 29 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 29, A bill to be entitled "An Act providing for the sale of all oil and/or gas in the State prison lands and prescribing the duties and powers of said Board; prescribing the mode and manner of selling oil and gas in the State prison lands and the disposition to be made of the proceeds, etc., and declaring an emergency."

The bill was read second time.

Mr. Tarwater offered the following amendment to the bill:

Amend Senate bill No. 29 by striking out all above and below the enacting clause and insert in lieu thereof the following:

A BILL

To Be Entitled

An Act providing for the sale of all oil and/or gas in the State prison lands by lease; creating a Board for lease of State prison lands, and prescribing the duties and powers of said Board; prescribing the mode and manner of selling oil and gas in State prison lands, and the disposition to be made of the proceeds of such sales; making an appropriation to defray the expense of enforcing the act; repealing all laws in conflict, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. A Board is hereby created to consist of the Commissioner of the General Land Office, the Attorney General and the chairman of the State Prison Board, who shall perform the duties hereinafter indicated; the Board shall be known as the "Board for Lease of Texas Prison Lands." The term "Board," wherever it appears hereafter in this act, shall mean the "Board for Lease of Texas Prison Lands." This Board shall keep a complete record of all its proceedings.

Sec. 2. All lands or any parcel of same now owned, or that may be owned and held by the State as State prison lands, may be leased by the Board to any person or persons, firm or corporation, subject to and as provided for in this act for the purpose of prospecting or exploring for and mining, producing, storing, caring for, transportation, preserving and disposing of the oil and/or gas therein belonging to the State.

Sec. 3. The Board is hereby authorized to cause the State prison lands to be surveyed and subdivided into such lots or blocks as will be conducive or convenient to facilitate the advantageous sale of oil and/or gas leases thereon, and identify such lots and blocks by permanent markings on the ground, and to make such maps and plats as may be thought necessary to carry out the purposes of this act. The Board shall forthwith obtain authentic abstracts of title to all prison lands and cause same to be examined by the Attorney General, who shall file written opinions thereon, and said Board shall take such steps as may be necessary to perfect a merchantable title to such lands in the State of Texas. Such abstracts of title and the Attorney General's opinion thereon shall be held on file in the General Land Office as public documents, for the inspection of any prospective purchaser of oil and gas leases on said lands.

Sec. 4. Wherever, in the opinion of the Board, there shall be such a demand for the purchase of oil and/or gas leases on any lot or tract of said land as will reasonably insure an advantageous sale, the Board shall place such oil and gas in said land on the market in such blocks or lots as the Board may designate. It shall cause to be advertised a brief description of the land from which the oil and gas is proposed to be sold and that sealed bids for the purchase of said oil and/or gas by

lease will be opened at a designated day, at 10 o'clock a. m. that day, and that sealed bids received up to that time will be considered. Said advertisements shall be made:

(a) By mailing a copy thereof to the county judge of every county in this State;

(b) In addition, the Board may, in its discretion, cause said advertisement to be placed in oil and gas journals in and out of the State, to be mailed generally to such persons as they think might be interested.

Sec. 5. All bids shall be directed to the said Board in care of the General Land Office of the State of Texas, and shall be retained by the Commissioner of the General Land Office until the day designated for the opening of bids, and upon that day the said Board, or a majority of its members, shall open said bids and shall list and file and register all bids and money received. A separate bid shall be made for each whole survey or subdivision thereof. No bid shall be accepted which offers a royalty of less than one-eighth of the gross production of oil and/or gas in the land bid upon, and this minimum royalty may be increased at the discretion of the Board, all members concurring, before the promulgation of the advertisement of the land. Every bid shall carry the obligation to pay an amount not less than 10 cents per acre for delay in drilling, such amount to be fixed by the Board in advance of the advertisement, and which shall be paid every year for five years unless, in the meantime, production in paying quantities is had upon the land.

Sec. 6. Every bid shall be accompanied by a payment equal to the minimum price fixed on the land per acre for delay in the drilling if the bid is accepted. The bid shall further indicate the royalty the bidder is willing to pay, which royalty shall not be less than one-eighth of the gross production. The bid shall further name such amount as the bidder may be willing to pay in addition to the royalty and the annual payment herein provided for, and shall be accompanied by cash or checks collectible in Austin to cover said amounts.

Sec. 7. If any one of the bidders shall have offered a reasonable and proper price therefor, and less than the price fixed by the Board, the lands advertised or any whole survey or subdivision thereof may be leased for oil and/or gas purposes under the terms of this act, and such regulations as the

Board may prescribe, not inconsistent with the provisions of this act. If after any bidding by sealed bids the Board should reject all bids, as it is hereby authorized to do, it may thereafter offer for sale and sell the oil and/or gas in said lands in separate whole surveys only or subdivisions thereof by open public auction at a price less than the price offered by the sealed bids. All bids may be rejected. In the event of no sale at public auction, any subsequent procedure for the sale of said oil and gas leases shall be in the manner above provided.

Sec. 8. If the Board shall determine that a satisfactory bid has been received for said oil and gas, it shall be filed in the General Land Office. Whenever the royalties shall amount to as much as the yearly payment as fixed by the Board the yearly payment may be discontinued. If before the expiration of three years oil and/or gas shall not have been produced in paying quantities, the lease shall terminate.

Sec. 9. If during the term of any lease issued under the provisions of this act the lessee shall be engaged in actual drilling operations for the discovery of oil and/or gas on land covered by any such lease, no rentals shall be payable as to the tract on which such operations are being conducted, so long as such operations are proceeding in good faith; and in the event oil or gas is discovered in paying quantities on any tract of land covered by any such lease, then the lease as to such tract shall remain in force so long as oil or gas is produced in paying quantities from such tract. In the event of the discovery of oil and/or gas on any tract covered by a lease issued hereunder or on any land adjoining same, the lessee shall conduct such operations as may be necessary to prevent drainage from the tract covered by such lease and to properly develop the same. Failure to comply with the obligations provided by this section shall subject the holder of the lease to the penalties provided in Sections 12 and 13 of this act.

Sec. 10. Title to all rights purchased may be held by the owners so long as the area produces oil and gas in paying quantities. All rights purchased may be assigned in quantities of not less than forty acres, unless there be less than forty acres remaining in any survey, in which case such lesser area may be so assigned. All assignments shall be filed in the General Land Office within 100 days after the date of the first acknowledgment thereof, accom-

panied by 10 cents per acre for each acre assigned, and if not so filed and payment made the assignment shall be ineffective. All rights to any whole survey and to any assigned portion thereof may be relinquished to the State at any time by having an instrument of relinquishment recorded in the county or counties in which the area may be situated and filed in the Land Office, accompanied with \$1 for each area assigned, but such assignment shall not relieve the owner of any past due obligations theretofore accrued thereon. The Board shall authorize the laying of pipe lines, telephone lines and the opening of such roads over the prison lands as may be deemed reasonably necessary for and incident to the purpose of this act.

Sec. 11. Royalty as stipulated in the sale shall be paid to the General Land Office at Austin, Texas, for benefit of the general revenue fund on or before the 20th day of each succeeding month for the preceding month during the life of the rights purchased, and it shall be accompanied by the sworn statement of the owner, manager or other authorized agent showing the gross amount of oil produced and saved since the last report and the amount of said gas produced and sold off the premises and the market value of the oil and gas, together with a copy of all daily gauges of tanks, gas meter readings, pipe line receipts, gas line receipts and other checks and memoranda of the amounts produced and put into pipe lines, tanks or pools and gas lines or gas storage. The books and accounts, receipts and discharges of all wells, tanks, pools, meters, pipe lines and all contracts and other records pertaining to the production, transportation, sale and marketing of the oil and/or gas shall at all times be subject to inspection and examination by the Commissioner of the General Land Office, the Attorney General, the Governor or any member of the State Prison Board.

Sec. 12. In every case where the area in which oil and/or gas sold shall be contiguous or adjacent to land not prison land, the acceptance of the bid and the sale made thereof to adequately protect the land leased from drainage from adjacent lands. In cases where the area in which the oil and/or gas is sold, as a lesser royalty, the owner shall likewise protect the State from drainage from the land so leased or sold for lesser royalty. Upon failure to protect the land from drainage as herein provided, the sale and all rights there-

under may be forfeited by the Board in the manner elsewhere provided herein for forfeitures.

Sec. 13. If the owner of the rights acquired under this act shall fail or refuse to make the payment of any sum due thereon, either as rental or royalty on the production, within thirty days after same shall become due, or if such owner or his authorized agent should make any false return or false report concerning production, royalty or drilling, or if such owner shall fail or refuse to drill any offset well or wells in good faith, as required by his lease, or if such owner or his agent should refuse the proper authority to access to the records and other data pertaining to the operations under this act, or if such owner, or his authorized agent, should fail or refuse to give correct information to the proper authorities, or fail or refuse to furnish the log of any well within thirty days after production is found in paying quantities, or if any of the material terms of the lease should be violated, such lease shall be subject to forfeiture by the Board by an order entered upon the minutes of the Board, reciting the facts constituting the default and declaring the forfeiture. The Board may, if it so desires, have suit instituted for forfeiture through the Attorney General of the State. Upon proper showing by the forfeiting owner within thirty days after the declaration of forfeiture, the lease may, at the discretion of the Board and upon such terms as it may prescribe, be reinstated. In case of violation by the owner of the lease contract, the remedy of the State by forfeiture shall not be the exclusive remedy, but suit for damages or specific performance, or both, may be instituted. The State shall have a first lien upon all oil and/or gas produced upon the leased area and upon all rigs, tanks, pipe line, telephone lines and machinery and appliances used in the production and handling of oil and gas produced thereon, to secure any amount due from the owner of said lease.

Sec. 14. All surveys, files, records, copies of sale and lease contracts, and all other records pertaining to the sales and leases hereby authorized, shall be filed in the General Land Office and constitute archives thereof. Payment hereunder shall be made to the Commissioner of the General Land Office at Austin, Texas, who shall transmit to the State Treasurer all royalty for deposit to the credit of the general revenue fund, and all rentals for delay in drilling and all other payments, in-

cluding all filing assignments and relinquishment fees hereunder to the credit of the general revenue fund.

Sec. 15. The expenses of executing the provisions of this act shall be paid monthly by warrants drawn by the Comptroller on the State Treasurer, and for that purpose the sum of two thousand dollars (\$2,000), or as much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated until September 1, 1930.

Sec. 16. If any provision hereof should be held unconstitutional, the balance of the act shall not be affected thereby.

Sec. 17. The Board shall adopt proper forms and regulations, rules and contract as will in its best judgment protect the income from lands leased hereunder. A majority of the Board shall have power to act in all cases, except where otherwise herein provided. The Board may reject any and all bids, and shall have the further right to withdraw any lands advertised for lease prior to receiving and opening bids. Any and all or parts of laws in conflict with this act are hereby repealed.

Sec. 18. Since there is no law authorizing the sale of oil and/or gas leases on prison lands, this fact creates an emergency and an imperative public necessity exists that the constitutional rule requiring bills to be read on three separate days in each house be suspended and that this bill be placed upon third reading and final passage and take effect from and after its passage, and it is so enacted.

Mr. Kennedy moved that the bill be laid on the table subject to call.

On motion of Mr. Tarwater, the motion by Mr. Kennedy was tabled.

Mr. Purl moved that further consideration of the bill be postponed until 2 o'clock p. m. today.

On motion of Mr. Pope of Nueces, the motion by Mr. Purl was tabled.

Mr. Pope of Nueces offered the following amendment to the amendment: Amend the amendment by striking out the words "ten cents," in line 36, page 2, and insert in lieu thereof the following, "one dollar."

Mr. Barnett moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Pope of Nueces to the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—88.

Mr. Speaker.	Kinnear.
Acker.	Long of Houston.
Albritton.	Magee.
Allred.	Mankin.
Anderson.	Mauritz.
Avis.	Maynard.
Baker.	McCombs.
Barnett.	McDonald.
Beck.	Mehl.
Bond.	Minor.
Bounds.	Moore.
Bradley.	Morse.
Brice.	Mosely.
Brooks.	Negley.
Carpenter.	Nicholson.
Coltrin.	Olsen.
Conway.	Palmer.
Cox of Lamar.	Patterson.
Davis.	Pavlica.
Enderby.	Pope of Nueces.
Eickenroht.	Purl.
Farrar.	Quinn.
Finlay.	Ray.
Forbes.	Reader.
Gates.	Renfro.
Gilbert.	Riley.
Giles.	Rogers.
Graves of Erath.	Sanders.
Harding.	Shelton.
Harper.	Sherrill.
Heaton.	Sinks.
Hines.	Snelgrove.
Hogg.	Storey.
Hopkins.	Terrell.
Hornaday.	Turner.
Jenkins.	Veatch.
Johnson	Waddell.
of Dimmit.	Wallace.
Johnson of Smith.	Walters.
Johnson of Scurry.	Webb.
Kayton.	West.
Keeton.	Williams
Kemble.	of Sabine.
Kennedy.	Williams
Kincaid.	of Travis.
King.	

Nays—13.

Ackerman.	Justiss.
Adkins.	Marks.
Bateman.	Metcalfe.
Cox of Limestone.	Rountree.
Harman.	Tarwater.
Johnson	Tillotson.
of Dallam.	Van Zandt.

Present—Not Voting.

Harrison.	Jones.
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Absent.

Chastain.	Fuchs.
DeWolfe.	Graves
Dunlap.	of Williamson.
Duvall.	Hardy.

Hefley.	O'Neill.
Holder.	Petsch.
Hubbard.	Pope of Jones.
Keller.	Reid.
Kenyon.	Richardson.
Land.	Shaver.
Lee.	Simmons.
Lemens.	Speck.
Long of Wichita.	Stephens.
Loy.	Stevenson.
McGill.	Westbrook.
Montgomery.	Williams
Mullally.	of Hardin.
Murphy.	Young.

Absent—Excused.

Baldwin.	Savage.
Ewing.	Strong.
Finn.	Thompson.
Martin.	Warwick.
McKean.	Wiggs.
Pool.	Woodruff.
Prendergast.	

Mr. Kennedy moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Purl, by unanimous consent, offered the following amendment to the amendment:

Amend the amendment, page 2, Section 4, Subsection A after Subsection A, the following, "two daily newspapers published in Texas."

The amendment was adopted.

Mr. McDonald, by unanimous consent, offered the following amendment to the amendment:

Amend the amendment, page 5, line 27, by striking out last word on said line and substituting in lieu thereof the word "if."

The amendment was adopted.

Mr. Pope of Nueces, by unanimous consent, offered the following amendment to the amendment:

Amend the amendment by adding the words "and all bids" after the word "accounts," in line 40, page 2, and by adding the words "on file in the General Land Office and be," after the word "be" in line 4, page 3.

The amendment was adopted.

The amendment as amended was then adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

Senate bill No. 29 was then passed to third reading.

SENATE BILL NO. 29 ON THIRD
READING.

Mr. Tarwater moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 29 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110.

Mr. Speaker.	Kennedy.
Acker.	Kincaid.
Ackerman.	King.
Adkins.	Kinnear.
Albritton.	Lee.
Allred.	Long of Houston.
Anderson.	Loy.
Avis.	Magee.
Baker.	Mankin.
Barnett.	Marks.
Bateman.	Mauritz.
Beck.	Maynard.
Bond.	McCombs.
Bounds.	McDonald.
Bradley.	McGill.
Brice.	Mehl.
Brooks.	Metcalfe.
Carpenter.	Moore.
Coltrin.	Morse.
Conway.	Mosely.
Cox of Lamar.	Mullally.
Cox of Limestone.	Murphy.
Davis.	Negley.
DeWolfe.	Nicholson.
Dunlap.	Palmer.
Enderby.	Patterson.
Farrar.	Pavlica.
Finlay.	Pope of Nueces.
Forbes.	Purl.
Gates.	Quinn.
Gilbert.	Ray.
Giles.	Reader.
Graves of Erath.	Renfro.
Harding.	Riley.
Harman.	Rogers.
Harper.	Rountree.
Harrison.	Sanders.
Heaton.	Sherrill.
Hines.	Simmons.
Hogg.	Sinks.
Holder.	Snelgrove.
Hopkins.	Speck.
Jenkins.	Storey.
Johnson	Tarwater.
of Dallam.	Terrell.
Johnson	Tillotson.
of Dimmit.	Turner.
Johnson of Smith.	Van Zandt.
Johnson of Scurry.	Veatch.
Jones.	Waddell.
Justiss.	Wallace.
Kayton.	Walters.
Keeton.	Webb.
Keller.	West.
Kemble.	Westbrook.

Williams
of Sabine.

Williams
of Travis.

Absent.

Chastain.	Montgomery.
Duvall.	Olsen.
Eickenroht.	O'Neill.
Fuchs.	Petsch.
Graves	Pope of Jones.
of Williamson.	Reid.
Hardy.	Richardson.
Hefley.	Shaver.
Hornaday.	Shelton.
Hubbard.	Stephens.
Kenyon.	Stevenson.
Land.	Williams
Lemens.	of Hardin.
Long of Wichita.	Young.
Minor.	

Absent—Excused.

Baldwin.	Savage.
Ewing.	Strong.
Finn.	Thompson.
Martin.	Warwick.
McKean.	Wiggs.
Pool.	Woodruff.
Prendergast.	

The Speaker then laid Senate bill No. 29 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—103.

Mr. Speaker.	Gates.
Acker.	Gilbert.
Ackerman.	Giles.
Adkins.	Graves of Erath.
Albritton.	Harding.
Allred.	Harman.
Anderson.	Harper.
Avis.	Hines.
Baker.	Holder.
Barnett.	Hopkins.
Bateman.	Jenkins.
Beck.	Johnson
Bounds.	of Dallam.
Bradley.	Johnson
Brice.	of Dimmit.
Brooks.	Johnson of Smith.
Carpenter.	Johnson of Scurry.
Coltrin.	Jones.
Conway.	Justiss.
Cox of Lamar.	Kayton.
Cox of Limestone.	Keeton.
Davis.	Keller.
DeWolfe.	Kemble.
Dunlap.	Kennedy.
Enderby.	Kincaid.
Eickenroht.	Lee.
Farrar.	Long of Houston.
Finlay.	Loy.
Forbes.	Magee.

Mankin.	Rogers.
Marks.	Rountree.
Mauritz.	Sanders.
Maynard.	Sherrill.
McCombs.	Simmons.
McDonald.	Sinks.
McGill.	Snelgrove.
Mehl.	Speck.
Metcalfe.	Storey.
Moore.	Tarwater.
Morse.	Terrell.
Mosely.	Tillotson.
Mullally.	Turner.
Murphy.	Van Zandt.
Negley.	Veatch.
Nicholson.	Waddell.
Palmer.	Wallace.
Patterson.	Warwick.
Pavlica.	Webb.
Purl.	West.
Quinn.	Westbrook.
Ray.	Williams
Reader.	of Sabine.
Renfro.	Williams
Riley.	of Travis.

Absent.

Bond.	Long of Wichita.
Chastain.	Minor.
Duvall.	Montgomery.
Fuchs.	Olsen.
Graves	O'Neill.
of Williamson.	Petsch.
Hardy.	Pope of Jones.
Harrison.	Pope of Nueces.
Heaton.	Reid.
Hefley.	Richardson.
Hogg.	Shaver.
Hornaday.	Shelton.
Hubbard.	Stephens.
Kenyon.	Stevenson.
King.	Walters.
Kinnear.	Williams
Land.	of Hardin.
Lemens.	Young.

Absent—Excused.

Baldwin.	Prendergast.
Ewing.	Savage.
Finn.	Strong.
Martin.	Thompson.
McKean.	Wiggs.
Pool.	Woodruff.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to
inform the House that the Senate has
passed

H. B. No. 32, A bill to be entitled
"An Act amending subdivision 1, Ar-

ticle 199, Title 8, of the Revised Civil Statutes of the State of Texas, which subdivision relates to the district court of the First Judicial District of Texas, and to fix the number of terms and the places and time for holding said court, and to conform all writs and process from such court to such changes, and to make all writs and process issued or served before this act takes effect, including recognizances and bonds, returnable to the terms of said court as herein fixed, and to validate the drawing and the selecting and the summoning of all grand and petit jurors for said court."

S. B. No. 10, A bill to be entitled "An Act to amend Articles 2994, 3883, 3886, 3889, 3891, 3892, 3895, 3897, 3899, 3926, 3934, 7331, 7332, of the Revised Civil Statutes of Texas for 1925, repealing Articles 3887, 3900, 3912, 3932, of the Revised Civil Statutes of Texas for 1925, and all laws in conflict, all of said amended and repealed articles relating to fees and compensation of county officers; providing any unconstitutional parts of this act shall not affect the remainder, declaring an emergency, and providing said act shall become effective on January 1, 1931."

S. B. No. 27, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for the purpose of maintaining the public schools and issuing bonds in school districts in all counties which, according to the Federal census of 1920, have a population of not fewer than 720 and not more than 750; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 63, A bill to be entitled "An Act providing for an open season on squirrels in Marion, Cass and Bowie counties, Texas; providing penalty, repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 84, A bill to be entitled "An Act amending Articles 5738, 5739, 5743, 5746, 5748 and 5763, of the Revised Civil Statutes of 1925, relating to co-operative marketing associations, said articles being a portion of what is commonly known as the co-operative marketing act of Texas; declaring that if any section, article or provision of said co-operative marketing act or this act shall be declared to be unconstitutional or invalid for any reason the remainder of the same shall, nevertheless, be in force and effect, and declaring an emergency."

S. B. No. 89, A bill to be entitled "An Act to create Brazoria County

Drainage District No. 8, in Brazoria county, Texas," etc.

S. B. No. 90, A bill to be entitled "An Act to create Brazoria County Drainage District No. Six (6), in Brazoria county, Texas," etc.

S. B. No. 91, A bill to be entitled "An Act to create Velasco Drainage District of Brazoria county, Texas," etc.

S. B. No. 92, A bill to be entitled "An Act to create Angleton Drainage District of Brazoria county, Texas," etc.

S. B. No. 93, A bill to be entitled "An Act to create San Bernard Drainage District No. 10 of Brazoria county, Texas," etc.

S. B. No. 102, A bill to be entitled "An Act to prohibit the shipment into Texas of any citrus nursery stock grown in the State of Florida," etc.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

RELATIVE TO ILLNESS OF HON. SAM HEFLEY.

Mr. Morse, by unanimous consent of the House, offered the following resolution:

Whereas, Hon. Sam Hefley, a faithful member of this House for many years, is now seriously ill in the hospital at Cameron, Texas; now, therefore, be it

Resolved, That we send him our regrets and hopes for his speedy recovery, and that the Chief Clerk be instructed to send him an appropriate floral gift, to be paid for out of the contingent fund of the House.

Signed—Morse, Kemble, Barron (Speaker), Acker, Ackerman, Adkins, Albritton, Allred, Anderson, Avis, Baker, Baldwin, Barnett, Bateman, Beck, Bond, Bounds, Bradley, Brice, Brooks, Carpenter, Chastain, Coltrin, Conway, Cox of Lamar, Cox of Limestone, Davis, DeWolfe, Dunlap, Duvall, Enderby, Ewing, Eickenroht, Farrar, Finn, Finlay, Forbes, Fuchs, Gates, Gilbert, Giles, Graves of Williamson, Graves of Erath, Hardy, Harding, Harman, Harper, Harrison, Heaton, Hines, Hogg, Holder, Hopkins, Hornaday, Hubbard, Jenkins, Johnson of Dallam, Johnson of Dimmit, Johnson of Smith, Johnson of Scurry, Jones, Justiss, Kayton, Keeton, Keller, Kennedy, Kenyon, Kincaid, King, Kinnear, Land, Lee, Lemens, Long of Houston, Long of Wichita, Loy, Magee, Mankin, Marks, Martin, Mauritz, Maynard, McCombs, McDonald, McGill, McKean, Mehl, Metcalfe, Minor, Montgomery, Mrs. Moore, Mosley, Mullally, Murphy, Mrs. Negley, Nicholson,

Olsen, O'Neill, Palmer, Patterson, Pavlica, Petsch, Pool, Pope of Jones, Pope of Nueces, Prendergast, Purl, Quinn, Ray, Reader, Reid, Renfro, Richardson, Riley, Rogers, Rountree, Sanders, Savage, Shaver, Shelton, Sherrill, Simmons, Sinks, Snelgrove, Speck, Stephens, Stevenson, Storey, Strong, Tarwater, Terrell, Thompson, Tillotson, Turner, Van Zandt, Veatch, Waddell, Wallace, Walters, Warwick, Webb, West, Westbrook, Wiggs, Williams of Sabine, Williams of Hardin, Williams of Travis, Woodruff, Young.

The resolution was read second time, and was adopted unanimously.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. C. R. No. 12, Requesting Henry Ford to consider Texas as a needy and worthy State to receive benefits under his proposed educational program.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

COMMUNICATION FROM SHEEP AND GOAT RAISERS' ASSOCIATION.

The Speaker laid before the House and had read the following communication:

Kerrville, Texas, February 14, 1930.

Speaker of the House of Representatives, Austin, Texas:

Whereas, there has been introduced at the present session of the Legislature of Texas, now pending, a bill to amend Article 7066, Chapter 8, Title 122, Revised Civil Statutes of Texas, which amendment provides that the owner of sulphur mines of Texas shall make periodical report to Comptroller and providing a tax upon outputs of sulphur mines; and

Whereas, We believe such amendment, if passed and enacted into a law, will result in a collection by the State of approximately \$3,000,000 annually in taxes; and

Whereas, Under the present laws those owning lands and using them for the purpose of farming and stock raising are paying and being required to pay

an abnormal and unfair portion of the total taxes paid in Texas, and the sulphur mining industries, a tremendously large industry, escaping with the payment of tax pitifully low in comparison; and

Whereas, The purpose and intent of said amendment is wholly in harmony with the constitutional provision that taxes should be uniform; now, therefore, be it

Resolved, by the executive committee of the Sheep and Goat Raisers' Association of Texas, at a meeting held in Kerrville, Texas, this 13th day of February, 1930, that we heartily endorse said amendment and its purpose as incorporated in the House bill aforesaid and urge its passage; we further

Resolved, That the secretary immediately wire the Speaker of the House of Representatives and the Lieutenant Governor the language of this resolution, with a request that it be read in the Senate and in the House of Representatives in open session.

SHEEP AND GOAT RAISERS' ASSOCIATION OF TEXAS.

By E. G. Baggett, Secretary.

HOUSE BILL NO. 35 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 35, A bill to be entitled "An Act amending Article 7066, Revised Civil Statutes, relating to occupation taxes on the production of sulphur, which amendment provides for an occupation tax of \$1 per ton of all sulphur produced within the State of Texas; providing for reports and records; imposing forfeitures and penalties for failure to keep records."

The bill was read second time.

Mr. Kayton raised a point of order on further consideration of the bill on the ground that the bill was not properly set as a special order.

The Speaker sustained the point of order.

Mr. Sanders then moved that the regular order of business be suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 35, A bill to be entitled "An Act amending Article 7066, Revised Civil Statutes, relating to occupation taxes on the production of sulphur, which amendment provides for an occupation tax of \$1 per ton of all sulphur produced within the State of Texas; providing for reports and records; im-

posing forfeitures and penalties for failure to keep records."

The motion prevailed by the following vote:

Yeas—87.

Mr. Speaker.	Kennedy.
Acker.	Kincaid.
Ackerman.	Lee.
Adkins.	Long of Houston.
Allred.	Loy.
Baker.	Magee.
Barnett.	Mankin.
Bateman.	Marks.
Beck.	Mauritz.
Bond.	Maynard.
Bounds.	McCombs.
Brice.	McDonald.
Brooks.	McGill.
Coltrin.	Metcalfe.
Conway.	Mosely.
Cox of Lamar.	Murphy.
Cox of Limestone.	Negley.
DeWolfe.	Olsen.
Dunlap.	Palmer.
Enderby.	Pavlica.
Farrar.	Petsch.
Finlay.	Quinn.
Forbes.	Renfro.
Gilbert.	Riley.
Giles.	Rogers.
Graves	Rountree.
of Williamson.	Sanders.
Graves of Erath.	Sherrill.
Hardy.	Simmons.
Harper.	Sinks.
Heaton.	Snelgrove.
Hines.	Stephens.
Hogg.	Tarwater.
Holder.	Terrell.
Hubbard.	Turner.
Jenkins.	Van Zandt.
Johnson	Veatch.
of Dallam.	Waddell.
Johnson	Wallace.
of Dimmit.	Walters.
Johnson of Smith.	West.
Johnson of Scurry.	Westbrook.
Jones.	Williams
Justiss.	of Sabine.
Keeton.	Williams
Keller.	of Travis.

Nays—19.

Albritton.	Kemble.
Anderson.	Mehl.
Avis.	Morse.
Carpenter.	Mullally.
Gates.	Nicholson.
Harding.	Patterson.
Harman.	Storey.
Harrison.	Tillotson.
Hopkins.	Webb.
Kayton.	
Bradley.	Chastain.

Absent.

Davis.	O'Neill.
Duvall.	Pope of Jones.
Eickenroht.	Pope of Nueces.
Fuchs.	Purl.
Hefley.	Ray.
Hornaday.	Reader.
Kenyon.	Reid.
King.	Richardson.
Kinnear.	Shaver.
Land.	Shelton.
Lemens.	Speck.
Long of Wichita.	Stevenson.
Minor.	Williams
Montgomery.	of Hardin.
Moore.	Young.

Absent—Excused.

Baldwin.	Savage.
Ewing.	Strong.
Finn.	Thompson.
Martin.	Warwick.
McKean.	Wiggs.
Pool.	Woodruff.
Prendergast.	

The Speaker then laid House bill No. 35 before the House, and it was read second time.

Mr. Sanders offered the following amendments to the bill:

1.

Amend House bill No. 35, in line 36, page 1, by striking out the words "per ton" and inserting therein in lieu thereof the words "per long ton."

2.

Amend House bill No. 35, line 37, page 1, by inserting after the word "person" and before the word "within" in said line the following, "during said quarter."

The amendments were severally adopted.

Mr. Holder moved a call of the House for the purpose of maintaining a quorum until 12 o'clock m. today, and the call was duly ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Holder, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

Mr. Quinn offered the following amendment to the bill:

Amend House bill No. 35 by striking

out "one dollar" wherever it appears in the bill and substituting the words "fifty cents."

Signed—Quinn, Harman.

Mr. Morse offered the following substitute for the amendment by Mr. Quinn:

Amend House bill No. 35 by striking out the words "one dollar" in line 36, page 1, and substituting the words "thirty-five cents" in lieu thereof.

Mr. Holder moved a call of the House for the purpose of maintaining a quorum pending consideration of House bill No. 35, and the call was duly ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

Mr. Holder then moved to table the pending substitute amendment.

On motion of Mr. Pope of Nueces, the House, by unanimous consent, agreed to stand at ease until 2 o'clock p. m. today.

The House reconvened at 2 o'clock p. m., and was called to order by the Speaker.

The House then resumed consideration of the pending business, same being House bill No. 35, which provides for a tax on the production of sulphur, with amendment by Mr. Quinn and substitute by Mr. Morse for the amendment, and motion by Mr. Holder to table the substitute amendment, pending.

Question first recurring on the motion by Mr. Holder to table the substitute amendment, it prevailed.

Mr. Holder then moved to table the amendment by Mr. Quinn.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—80.

Mr. Speaker.	Cox of Lamar.
Adkins.	Cox of Limestone.
Allred.	DeWolfe.
Baker.	Dunlap.
Barnett.	Enderby.
Bateman.	Farrar.
Bond.	Forbes.
Bradley.	Gates.
Brice.	Gilbert.
Brooks.	Giles.
Chastain.	Graves
Coltrin.	of Williamson.
Conway.	Graves of Erath.

Harper.	Olsen.
Heaton.	Palmer.
Hines.	Petsch.
Hogg.	Pope of Jones.
Holder.	Purl.
Jenkins.	Ray.
Johnson	Renfro.
of Dallam.	Riley.
Johnson	Rogers.
of Dimmit.	Rountree.
Johnson of Smith.	Sanders.
Jones.	Shelton.
Justiss.	Sherrill.
Keeton.	Simmons.
Keller.	Sinks.
Kincaid.	Snelgrove.
Lee.	Speck.
Long of Houston.	Stephens.
Loy.	Tarwater.
Magee.	Terrell.
Mankin.	Van Zandt.
Marks.	Waddell.
Mauritz.	Wallace.
Maynard.	Walters.
McCombs.	West.
McDonald.	Williams
McGill.	of Sabine.
Metcalfe.	Williams
Mosely.	of Travis.
Negley.	Young.

Nays—35.

Acker.	King.
Ackerman.	Kinnear.
Albritton.	Long of Wichita.
Anderson.	Mehl.
Avis.	Moore.
Beck.	Morse.
Bounds.	Mullally.
Carpenter.	Nicholson.
Eickenroht.	Patterson.
Finlay.	Pavlica.
Hardy.	Pope of Nueces.
Harding.	Quinn.
Harman.	Reader.
Harrison.	Storey.
Hopkins.	Tillotson.
Kayton.	Webb.
Kemble.	Williams
Kennedy.	of Hardin.

Absent.

Davis.	Montgomery.
Duvall.	Murphy.
Fuchs.	O'Neill.
Hefley.	Reid.
Hornaday.	Richardson.
Hubbard.	Shaver.
Johnson of Scurry.	Stevenson.
Kenyon.	Turner.
Land.	Veatch.
Lemens.	Westbrook.
Minor.	

Absent—Excused.

Baldwin.	Ewing.
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Finn.	Strong.
Martin.	Thompson.
McKean.	Warwick.
Pool.	Wiggs.
Prendergast.	Woodruff.
Savage.	

Mr. Mauritz offered the following amendment to the bill:

Amend by striking out all above and below the enacting clause and insert in lieu thereof the following:

A BILL

To Be Entitled

An Act relating to occupation tax on the production of sulphur; providing for an occupation tax of one dollar (\$1) per ton of all sulphur produced within the State of Texas; providing for reports and records, imposing forfeitures and penalties for failure to keep records; providing penalties for failure to pay tax; directing the bringing of suit for the recovery of taxes, penalties and interest; providing for the appropriation and use of the revenues collected hereunder; and further providing that the taxes so derived shall be considered in reducing the tax rate for public free school purposes, as determined by the State Tax Board, and the manner thereof; and enacting other provisions incident and necessary to the subject and purpose of this act; repealing all laws or parts of laws in conflict with this act; expressly repealing Article 7066, Revised Civil Statutes, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Each person who owns, controls, manages, leases or operates any sulphur mine or mines, wells or shafts, or who produces sulphur by any method, system or manner within this State, shall make quarterly, on the first day of January, April, July and October of each year, a report to the Comptroller, sworn to be such person before an officer authorized to administer oaths in this State, or if such person be other than an individual, so sworn to by its president, secretary or other duly authorized officer, on such forms as the Comptroller shall prescribe, showing the total amount of sulphur produced within this State by said person during the quarter next preceding; and at the time of making said report shall pay to the Treasurer of this State as occupation tax for the quarter beginning on said

date an amount equal to one dollar per long ton, or fraction thereof, of all sulphur produced by said person within the State of Texas during such preceding quarter.

Each person subject to the payment of this tax shall cause to be made, kept and preserved a full and complete record of all sulphur produced in this State by it, all of which record shall be open at all times to official inspection and examination by the Comptroller or the Attorney General, or any employee of or representative of the Comptroller or the Attorney General. Said records may be destroyed after three years from the last entry appearing in any such record. Any person failing to keep such record or records, as herein required, shall forfeit to the State of Texas as a penalty any sum not less than \$500 nor more than \$5,000, payable to the State of Texas, and each ten days of failure to keep such records shall constitute a separate offense and subject the offender to additional penalties for each such period of failure to keep such records. Any person subject to the payment of said tax on sulphur failing to pay the tax levied in this article within thirty days after same is due and payable, shall pay to the State as a penalty an additional amount equal to 10 per cent of the taxes due, and such tax and penalty shall draw interest at the rate of 6 per cent per annum from the due date until paid. The Attorney General or any district or county attorney at the direction of the Attorney General shall bring suit in behalf of the State to recover the amount of taxes, penalties and interest past due and payable by any person affected by this law. The word "person," as used in this law, shall include persons, firms, partnerships, companies, corporations, associations, common law trusts or other concerns by whatever name or howsoever organized, formed or created.

The Comptroller may require such other information and such additional reports as he may deem advisable.

Sec. 2. The one-fourth ($\frac{1}{4}$) of the occupation tax hereby imposed and collected constitutionally allocated to the available public free school fund, shall be set aside to such purposes, with the remaining three-fourths ($\frac{3}{4}$) of the said revenues to accrue to the credit of the general revenue fund of the State, until July 1, 1931, after which date the said three-fourths ($\frac{3}{4}$) of the revenues derived from such tax shall be set aside to the available school fund to be used for public free school purposes in the

payment of the per capita for all the children within the scholastic age. It being expressly provided that the State Tax Board shall take into consideration in their determination of the rate to be collected for public free school purposes as provided in Article 7043, Revised Civil Statutes, the amount of money paid into the available school fund under the provisions of this act in the following manner, that said Tax Board shall determine the rate which will be sufficient to yield and produce for the fiscal year under consideration, the necessary per capita for all the children within the scholastic age as shown by the most recent official scholastic census, as provided in said Article 7043, Revised Civil Statutes, and deduct from such rate so determined, such percentage and rate as would be necessary to produce a sum of money equal to the amount paid into the Treasury under the provisions of this act during the first half of the current calendar year and the latter half of the preceding calendar year, and the rate and percentage so found shall constitute the ad valorem rate to be levied and collected for public free school purposes.

Sec. 3. That the first report shall be made under this act and the first tax due and payable on July 1, 1930, and any person producing sulphur prior to that date shall make the report and pay the tax required by this act.

Sec. 4. That all laws and parts of law in conflict with this act and particularly Article 7066, Revised Civil Statutes, are hereby expressly repealed.

Sec. 5. The provisions of this act are severable and if any of the provisions hereof shall be held void the decision of the court shall not affect or impair any of the remaining provisions, and it is hereby declared as the legislative intent that the provisions, sentences and phrases not declared to be illegal or void, would have been enacted and adopted without the inclusion of the provisions, sentences and phrases declared void and invalid.

Sec. 6. The fact that the present tax upon the production of sulphur is totally insufficient and inadequate; that appropriations for educational purposes to be made by this Legislature require that additional revenue be raised by equitable taxation, and the rapid approach of the end of this session, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and said rule is hereby suspended, and

that this act shall take effect and be in force from and after its passage, and it is so enacted.

Mr. Tillotson offered the following substitute for the amendment by Mr. Mauritz:

Amend amendment to House bill No. 35 by striking out all after the enacting clause and substitute the following:

Section 1. That every person, in the State of Texas, engaged in mining, producing, severing, or extracting in this State the following natural resources from the soil or water of this State, to wit, sulphur, gas, salt, coal, lignite, and ores, marble, stone, shells and other natural deposits, shall pay to the State of Texas an occupation tax equal to the amounts and on the quantities hereinafter set out, mined, produced, or severed from such soil and/or water at the source of such natural resources. Such tax shall be due and payable at the office of the Comptroller at Austin, Texas, on the 25th day of each month, based on the quantities of such natural resources mined, produced, or severed from the soil and/or water of this State during the calendar month next preceding.

Sec. 2. The occupation tax hereby imposed shall be based, computed, and paid on the basis and in the following manner, on the quantity severed, mined or produced:

1. On turpentine (crude gum), ten (10) cents per barrel of 400 pounds.
2. On gas, one-fourth ($\frac{1}{4}$) of one (1) cent per thousand cubic feet, measured at ten-ounce (10-oz.) pressure.
3. On sulphur, forty (40) cents per ton of two thousand pounds.
4. On salt, four (4) cents per ton of two thousand pounds.
5. On coal, five (5) cents per ton of two thousand pounds.
6. On lignite, five (5) cents per ton of two thousand pounds.
7. On ores, five (5) cents per ton of two thousand pounds.
8. On marble, ten (10) cents per ton of two thousand pounds.
9. On stone, and crushed rock, one and one-half ($1\frac{1}{2}$) cents per ton of two thousand pounds.
10. On shells, one and one-half ($1\frac{1}{2}$) cents per ton of two thousand pounds.
11. Clays, one (1) cent per ton of two thousand pounds.

Provided, however, that nothing in this act shall require the making of any report or the payment of any tax where the same would not be subjected to a tax under the Constitution and

laws of the State of Texas or the United States, and providing that the failure of the Comptroller to furnish any form shall constitute no defense for failure to make any report.

Sec. 3. Every such person so liable for said tax shall, on or before the 25th day of each month, make and deliver to the Comptroller a report sworn to as correct by such person before an officer authorized to administer oaths in this State (or if other than an individual, so sworn to by its president, secretary, treasurer, or other duly authorized officer or representative in charge of the mining, producing, or severance of such resources, and the office or residence of such person, including the principal officers or members thereof, and their addresses), on such forms as said Comptroller shall prescribe, which in addition to the information that may be required by the Comptroller, shall show the total quantities of resources mined, produced, or severed, the source thereof, the quantity used, sold, shipped, or otherwise disposed of.

Sec. 4. All taxes, penalties, and interests due by any distributor to the State of Texas shall be a preferred lien upon all of the property, both real and personal, of any such person required to pay this tax, either devoted to or used in such business.

Sec. 5. Persons liable for said tax shall, together with said report, remit the proper amount due, on the basis hereinbefore set out, in legal tender, to the Comptroller of Public Accounts, less two per cent (2%) of such sum for loss of evaporation, who shall deposit said funds with the State Treasurer, one-fourth ($\frac{1}{4}$) thereof to go to the available school fund, and the other three-fourths ($\frac{3}{4}$) to the general revenue of the State, and if any person shall fail to remit said taxes when due, he shall be liable for a penalty of twenty-five per cent (25%) of the amount due, together with ten per cent (10%) interest, all of which shall constitute a preferred lien, as aforesaid, and suit to collect the same may be brought in Travis County, Texas, by the Attorney General, and if any person shall fail to pay the proper taxes due hereunder an auditor may be employed by the Comptroller or the Attorney General to audit the books and records of such person, and such person shall be liable for the reasonable expenses thus incurred as an additional penalty.

Sec. 6. Every person engaging in such business required to pay a tax there-

under shall keep a complete set of records, showing the amount of resources recovered during said period, the disposition made thereof, and if the same was shipped or sold, the name of the person to whom sold, and the quantity, and if used or otherwise disposed of, the manner in which used and the quantity, and shall keep such other records as may be required by the Comptroller. Such records shall be kept for a period of two (2) years from the date of last entry.

Sec. 7. If any person required to pay a tax under the provisions hereof, or any agent, employe or representative of any such person, shall fail or refuse to keep the records required to be kept by the provisions of this act, or shall mutilate, destroy, alter or secrete any of said records, or shall deny the Attorney General or Comptroller, or any of their representatives, access thereto, or obstruct their examination thereof, or fail to make the report required to be made under the provisions hereof, or make any false statement in any report required to be filed under the provisions of this act, shall be guilty of a misdemeanor, and upon conviction shall be fined in a sum not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1000.00), or be confined in the county jail not more than six months, or both such fine and imprisonment, and in addition, shall be liable for a penalty of one hundred dollars (\$100.00) per day for each day's violation. Any such person violating any of the other provisions hereof shall be liable for said civil penalty.

Sec. 8. The provisions of this act are severable, and if any of the provisions hereof shall be held void, the decision of the court shall not affect or impair any of the remaining provisions of this act, and it is hereby declared as the legislative intent that this act would have been adopted had any such void provision not been included therein, and the tax herein levied upon the objects and subjects enumerated herein would have been levied or imposed upon the remaining objects and subjects, to the exclusion of such objects and subjects as this act may be invalid as to, without the inclusion of such invalid objects and subjects, it being the intention to impose an occupation tax upon the first and single mining, production or severance of such natural resources.

Sec. 9. The fact that there is now not sufficient revenue forthcoming to sustain and maintain the government;

the fact that there are many objects and subjects not now being taxed that should be taxed; that the natural resources of the State are being rapidly consumed, leaving the State without any revenue by way of taxation in the future, create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three separate days in each house be suspended, and the same is hereby suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

Mr. Purl raised a point of order on further consideration of the substitute by Mr. Tillotson on the ground that the amendment is not germane.

The Speaker overruled the point of order.

Mr. Barnett moved the previous question on the pending amendments and the bill and the motion was not seconded.

Mr. Holder moved to table the substitute amendment by Mr. Tillotson.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—83.

Mr. Speaker.	Justiss.
Adkins.	Keeton.
Allred.	Keller.
Baker.	Kemble.
Barnett.	Kennedy.
Bateman.	Kinnear.
Bradley.	Lee.
Brice.	Lemens.
Brooks.	Long of Houston.
Chastain.	Loy.
Coltrin.	Magee.
Conway.	Mankin.
Cox of Lamar.	Marks.
Cox of Limestone.	Mauritz.
Davis.	McCombs.
Dunlap.	McDonald.
Enderby.	McGill.
Eickenroht.	Metcalfe.
Farrar.	Morse.
Finn.	Mosely.
Forbes.	Mullally.
Gilbert.	Negley.
Giles.	Olsen.
Graves of Erath.	Palmer.
Hardy.	Pavlica.
Harper.	Petsch.
Harrison.	Pope of Jones.
Hines.	Pope of Nueces.
Hogg.	Purl.
Holder.	Ray.
Hubbard.	Renfro.
Johnson	Riley.
of Dallam.	Rogers.
Johnson of Smith.	Sanders.
Jones.	Shelton.

Simmons.	Wallace.
Sinks.	Walters.
Snelgrove.	West.
Storey.	Westbrook.
Tarwater.	Williams
Terrell.	of Sabine.
Van Zandt.	Williams
Waddell.	of Travis.

Nays—31.

Acker.	Johnson
Ackerman.	of Dimmit.
Albritton.	Kayton.
Anderson.	Kincaid.
Avis.	King.
Beck.	Maynard.
Bond.	Mehl.
Bounds.	Moore.
Carpenter.	Nicholson.
DeWolfe.	Patterson.
Gates.	Quinn.
Harding.	Reader.
Harman.	Stephens.
Heaton.	Tillotson.
Hopkins.	Webb.
Jenkins.	Young.

Absent.

Duvall.	Murphy.
Finlay.	O'Neill.
Fuchs.	Reid.
Graves	Richardson.
of Williamson.	Rountree.
Hefley.	Shaver.
Hornaday.	Sherrill.
Johnson of Scurry.	Speck.
Kenyon.	Stevenson.
Land.	Turner.
Long of Wichita.	Veatch.
Minor.	Williams
Montgomery.	of Hardin.

Absent—Excused.

Baldwin.	Savage.
Ewing.	Strong.
Martin.	Thompson.
McKean.	Warwick.
Pool.	Wiggs.
Prendergast.	Woodruff.

Mr. Anderson moved the previous question on the pending amendment and the bill and the motion was duly seconded.

Mr. Keller called for a division of the question.

Question first recurring on the motion for the previous question on the amendment, it prevailed.

Question then recurring on the amendment by Mr. Mauritz, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—74.

Ackerman.	Long of Wichita.
Adkins.	Loy.
Albritton.	Magee.
Anderson.	Marks.
Avis.	Mauritz.
Baker.	Maynard.
Bateman.	McDonald.
Bond.	McGill.
Bounds.	Mehl.
Brooks.	Moore.
Carpenter.	Morse.
Chastain.	Mullally.
Cox of Limestone.	Olsen.
Davis.	Palmer.
Enderby.	Patterson.
Eickenroht.	Pavlica.
Farrar.	Petsch.
Finn.	Pope of Jones.
Finlay.	Pope of Nueces.
Gates.	Purl.
Giles.	Quinn.
Hardy.	Ray.
Harman.	Reader.
Harper.	Renfro.
Harrison.	Shelton.
Hines.	Sherrill.
Hopkins.	Sinks.
Jenkins.	Snelgrove.
Johnson	Stephens.
of Dallam.	Storey.
Johnson of Smith.	Tarwater.
Kayton.	Waddell.
Keeton.	Walters.
Kemble.	Webb.
Kennedy.	Westbrook.
Kincaid.	Williams
King.	of Hardin.
Lee.	Young.
Long of Houston.	

Nays—38.

Mr. Speaker.	Jones.
Allred.	Justiss.
Barnett.	Keller.
Beck.	Kinnear.
Bradley.	Lemens.
Brice.	Mankin.
Coltrin.	Metcalfe.
Conway.	Negley.
Cox of Lamar.	Nicholson.
DeWolfe.	Riley.
Dunlap.	Rogers.
Forbes.	Sanders.
Gilbert.	Simmons.
Graves of Erath.	Speck.
Harding.	Terrell.
Hogg.	Van Zandt.
Holder.	West.
Hubbard.	Williams
Johnson	of Sabine.
of Dimmit.	Williams
Johnson of Scurry.	of Travis.

Present—Not Voting.

Tillotson.

Absent.

Acker.	Montgomery.
Duvall.	Mosely.
Fuchs.	Murphy.
Graves	O'Neill.
of Williamson.	Reid.
Heaton.	Richardson.
Hefley.	Rountree.
Hornaday.	Shaver.
Kenyon.	Stevenson.
Land.	Turner.
McCombs.	Veatch.
Minor.	

Absent—Excused.

Baldwin.	Strong.
Ewing.	Thompson.
Martin.	Wallace.
McKean.	Warwick.
Pool.	Wiggs.
Prendergast.	Woodruff.
Savage.	

Mr. Mauritz moved to reconsider the vote by which the amendment was adopted and to table the motion to reconsider.

The motion to table prevailed.

By unanimous consent of the House the caption was ordered amended to conform to all changes made in the body of the bill.

Question then recurring on the motion for the previous question on the passage of the bill to engrossment, yeas and nays were demanded.

The previous question was ordered by the following vote:

Yeas—90.

Mr. Speaker.	Finlay.
Ackerman.	Forbes.
Adkins.	Gates.
Allred.	Gilbert.
Anderson.	Giles.
Baker.	Graves
Barnett.	of Williamson.
Bateman.	Harding.
Beck.	Harper.
Bond.	Heaton.
Bounds.	Hines.
Brooks.	Hogg.
Carpenter.	Holder.
Chastain.	Hornaday.
Coltrin.	Jenkins.
Conway.	Johnson
Cox of Lamar.	of Dallam.
Cox of Limestone.	Johnson of Smith.
Davis.	Johnson of Scurry.
DeWolfe.	Jones.
Enderby.	Justiss.
Farrar.	Kayton.
Finn.	Keeton.

Kincaid.	Renfro.
King.	Riley.
Kinnear.	Rogers.
Lee.	Sanders.
Lemens.	Sherrill.
Long of Houston.	Simmons.
Loy.	Sinks.
Magee.	Snelgrove.
Marks.	Stephens.
Mauritz.	Storey.
Maynard.	Tarwater.
McDonald.	Terrell.
Mehl.	Van Zandt.
Metcalf.	Waddell.
Mosely.	Wallace.
Mullally.	Walters.
Negley.	Warwick.
Olsen.	West.
Palmer.	Westbrook.
Pavlica.	Williams
Petsch.	of Sabine.
Pope of Jones.	Williams
Purl.	of Hardin.
Quinn.	Williams
Reader.	of Travis.

Nays—23.

Acker.	Long of Wichita.
Bradley.	McGill.
Brice.	Moore.
Eickenroht.	Nicholson.
Graves of Erath.	Patterson.
Hardy.	Pope of Nueces.
Harman.	Ray.
Harrison.	Shelton.
Johnson	Speck.
of Dimmit.	Tillotson.
Keller.	Webb.
Kennedy.	

Absent.

Albritton.	Minor.
Avis.	Montgomery.
Dunlap.	Morse.
Duvall.	Murphy.
Fuchs.	O'Neill.
Hefley.	Reid.
Hopkins.	Richardson.
Hubbard.	Rountree.
Kemble.	Shaver.
Kenyon.	Stevenson.
Land.	Turner.
Mankin.	Veatch.
McCombs.	Young.

Absent—Excused.

Baldwin.	Savage.
Ewing.	Strong.
Martin.	Thompson.
McKean.	Wiggs.
Pool.	Woodruff.
Prendergast.	

House bill No. 35 was then passed to engrossment.

HOUSE BILL NO. 35 ON THIRD
READING.

Mr. Sanders moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 35 be placed on its third reading and final passage.

The motion was lost, not receiving the necessary four-fifths vote, by the following vote:

Yeas—88.

Mr. Speaker.	Kinnear.
Ackerman.	Lee.
Adkins.	Long of Houston.
Albritton.	Loy.
Allred.	Magee.
Baker.	Mankin.
Barnett.	Marks.
Bateman.	Mauritz.
Beck.	Maynard.
Bond.	McDonald.
Bradley.	McGill.
Brice.	Mehl.
Brooks.	Metcalf.
Chastain.	Mosely.
Coltrin.	Negley.
Conway.	Olsen.
Cox of Lamar.	Palmer.
Cox of Limestone.	Pavlica.
Davis.	Pope of Jones.
DeWolfe.	Purl.
Enderby.	Quinn.
Farrar.	Ray.
Finlay.	Reader.
Forbes.	Renfro.
Gates.	Rogers.
Gilbert.	Sanders.
Giles.	Shelton.
Harper.	Simmons.
Heaton.	Sinks.
Hines.	Snelgrove.
Hogg.	Speck.
Holder.	Stephens.
Hornaday.	Storey.
Jenkins.	Tarwater.
Johnson	Terrell.
of Dallam.	Van Zandt.
Johnson	Waddell.
of Dimmit.	Wallace.
Johnson of Smith.	Walters.
Johnson of Scurry.	West.
Jones.	Westbrook.
Justiss.	Williams
Keeton.	of Sabine.
Keller.	Williams
Kincaid.	of Travis.
King.	

Nays—26.

Anderson.	Hardy.
Bounds.	Harding.
Carpenter.	Harman.
Duvall.	Harrison.
Eickenroht.	Hopkins.
Graves of Erath.	Kayton.

Kemble.	Patterson.
Kennedy.	Pope of Nueces.
Long of Wichita.	Riley.
Moore.	Tillotson.
Morse.	Webb.
Mullally.	Williams
Nicholson.	of Hardin.

Present—Not Voting.

Sherrill.

Absent.

Acker.	Montgomery.
Avis.	Murphy.
Dunlap.	O'Neill.
Fuchs.	Petsch.
Graves	Reid.
of Williamson.	Richardson.
Hefley.	Rountree.
Hubbard.	Shaver.
Kenyon.	Stevenson.
Land.	Turner.
Lemens.	Veatch.
McCombs.	Young.
Minor.	

Absent—Excused.

Baldwin.	Savage.
Ewing.	Strong.
Finn.	Thompson.
Martin.	Warwick.
McKean.	Wiggs.
Pool.	Woodruff.
Prendergast.	

Mr. Graves of Erath moved to reconsider the vote by which the House failed to suspend the constitutional rule for the purpose of taking up House bill No. 35.

The motion to reconsider prevailed by the following vote:

Yeas—89.

Mr. Speaker.	Forbes.
Ackerman.	Gates.
Adkins.	Gilbert.
Allred.	Giles.
Baker.	Graves
Barnett.	of Williamson.
Bateman.	Graves of Erath.
Beck.	Harper.
Bond.	Heaton.
Bradley.	Hines.
Brice.	Hogg.
Chastain.	Holder.
Coltrin.	Hornaday.
Conway.	Jenkins.
Cox of Lamar.	Johnson
Cox of Limestone.	of Dallam.
Davis.	Johnson
DeWolfe.	of Dimmit.
Enderby.	Johnson of Smith.
Eickenroht.	Johnson of Scurry.
Farrar.	Jones.
Finlay.	Justiss.

Keeton.	Purl.
Keller.	Quinn.
Kennedy.	Ray.
Kincaid.	Reader.
King.	Riley.
Kinnear.	Rogers.
Lee.	Sanders.
Lemens.	Sherrill.
Long of Houston.	Simmons.
Loy.	Sinks.
Magee.	Snelgrove.
Mankin.	Speck.
Marks.	Stephens.
Mauritz.	Storey.
Maynard.	Tarwater.
McDonald.	Terrell.
McGill.	Van Zandt.
Metcalfe.	Waddell.
Mosely.	Wallace.
Negley.	Walters.
Olsen.	Warwick.
Palmer.	West.
Pavlica.	Westbrook.
Petsch.	Williams
Pope of Jones.	of Travis.

Nays—20.

Albritton.	Long of Wichita.
Bounds.	Mehl.
Carpenter.	Moore.
Hardy.	Morse.
Harding.	Nicholson.
Harman.	Pope of Nueces.
Harrison.	Tillotson.
Hopkins.	Webb.
Kayton.	Williams
Kemble.	of Hardin.

Absent.

Acker.	Murphy.
Anderson.	O'Neill.
Avis.	Patterson.
Brooks.	Reid.
Dunlap.	Renfro.
Duvall.	Richardson.
Fuchs.	Rountree.
Hefley.	Shaver.
Hubbard.	Shelton.
Kenyon.	Stevenson.
Land.	Turner.
McCombs.	Veatch.
Minor.	Williams
Montgomery.	of Sabine.
Mullally.	Young.

Absent—Excused.

Baldwin.	Prendergast.
Ewing.	Savage.
Finn.	Strong.
Martin.	Thompson.
McKean.	Wiggs.
Pool.	Woodruff.

Question—Shall the House suspend the constitutional rule for the purpose

of taking up and placing House bill No. 35 before the House on its third reading and final passage?

The roll of the House was called, and the vote announced as follows: Yeas, 92; nays, 21.

Mr. Morse called for a verification of the vote.

The roll of the yeas and nays was then called and the verified vote stood as follows:

Yeas—92.

Mr. Speaker.	King.
Ackerman.	Kinnear.
Adkins.	Lee.
Allred.	Lemens.
Avis.	Long of Houston.
Baker.	Loy.
Barnett.	Magee.
Bateman.	Mankin.
Beck.	Marks.
Bond.	Mauritz.
Bradley.	Maynard.
Brice.	McDonald.
Chastain.	McGill.
Coltrin.	Mehl.
Conway.	Metcalfe.
Cox of Lamar.	Mosely.
Cox of Limestone.	Negley.
Davis.	Olsen.
DeWolfe.	Palmer.
Enderby.	Pavlica.
Farrar.	Petsch.
Finlay.	Pope of Jones.
Forbes.	Purl.
Gates.	Quinn.
Gilbert.	Ray.
Giles.	Renfro.
Graves	Riley.
of Williamson.	Rogers.
Graves of Erath.	Sanders.
Harper.	Shelton.
Harrison.	Simmons.
Heaton.	Sinks.
Hines.	Snelgrove.
Hogg.	Speck.
Holder.	Stephens.
Hornaday.	Storey.
Jenkins.	Tarwater.
Johnson	Terrell.
of Dallam.	Van Zandt.
Johnson	Waddell.
of Dimmit.	Wallace.
Johnson of Smith.	Walters.
Johnson of Scurry.	West.
Jones.	Westbrook.
Justiss.	Williams
Keeton.	of Sabine.
Keller.	Williams
Kennedy.	of Travis.
Kincaid.	

Nays—21.

Acker.	Bounds.
Albritton.	Carpenter.
Anderson.	Hardy.

Harding.	Nicholson.
Harman.	Patterson.
Hopkins.	Pope of Nueces.
Kayton.	Reader.
Kemble.	Tillotson.
Long of Wichita.	Webb.
Moore.	Williams
Morse.	of Hardin.

Absent.

Baldwin.	O'Neill.
Brooks.	Pool.
Dunlap.	Prendergast.
Duvall.	Reid.
Ewing.	Richardson.
Eickenroht.	Rountree.
Finn.	Savage.
Fuchs.	Shaver.
Hefley.	Sherrill.
Hubbard.	Stevenson.
Kenyon.	Strong.
Land.	Thompson.
Martin.	Turner.
McCombs.	Veatch.
McKean.	Warwick.
Minor.	Wiggs.
Montgomery.	Woodruff.
Mullally.	Young.
Murphy.	

The Speaker then announced that the motion prevailed.

The Speaker then laid House bill No. 35 before the House on its third reading and final passage.

The bill was read third time.

Mr. Keller offered the following amendment to the bill:

Amend House bill No. 35 below the enacting clause by adding a new section at the end of Section 1, and renumbering the other sections accordingly, the new section to read as follows:

"Section 2. Provided, however, twenty-five per cent of all funds collected out of the tax herein levied shall be paid into the special fund for the payment of pensions to disabled and indigent Confederate soldiers and sailors and their indigent widows. The purpose of this being to increase the Confederate pension fund to a sufficient size to where it will be adequate and sufficient to maintain the disabled and indigent Confederate soldiers and sailors and their indigent widows. Provided further, if this section should be declared to be unconstitutional that such shall not affect the remaining portions of this act and that this portion of the tax in that event shall be paid as provided generally herein."

And by changing the words "three-

fourths" in Section 2 of said bill to "one-half."

Signed—Keller, McCombs.

Mr. Van Zandt offered the following substitute for the amendment:

Amend House bill No. 35 by striking out Section 2 thereof.

Mr. Tillotson raised a point of order on further consideration of the amendment by Mr. Van Zandt at this time, on the ground that it seeks to strike out subject matter already put in by the House.

The Speaker sustained the point of order.

Mr. DeWolfe raised a point of order on further consideration of the amendment by Mr. Keller, on the ground that it violates certain provisions of the Constitution.

The Speaker declined to rule on the point of order by Mr. DeWolfe, stating that he would submit the matter to the House for its decision.

Question—Shall the House sustain the point of order?

The House sustained the point of order by the following vote:

Yeas—85.

Ackerman.	Johnson
Adkins.	of Dallam.
Avis.	Johnson
Baker.	of Dimmit.
Barnett.	Johnson of Scurry.
Beck.	Jones.
Bounds.	Keeton.
Brice.	Kemble.
Brooks.	Kincaid.
Chastain.	Kinnear.
Coltrin.	Lee.
Conway.	Lemens.
Cox of Lamar.	Long of Houston.
Cox of Limestone.	Long of Wichita.
Davis.	Mankin.
DeWolfe.	Marks.
Enderby.	Maynard.
Farrar.	McDonald.
Finlay.	McGill.
Forbes.	Mehl.
Gates.	Moore.
Gilbert.	Mosely.
Giles.	Negley.
Graves	Olsen.
of Williamson.	Palmer.
Graves of Erath.	Patterson.
Harding.	Pavlica.
Harper.	Petsch.
Harrison.	Pope of Jones.
Heaton.	Pope of Nueces.
Hogg.	Quinn.
Holder.	Ray.
Hornaday.	Reader.
Hubbard.	Rogers.

Rountree.	Wallace.
Sanders.	Walters.
Sherrill.	Webb.
Simmons.	West.
Sinks.	Williams
Speck.	of Sabine.
Stephens.	Williams
Tarwater.	of Hardin.
Terrell.	Williams
Van Zandt.	of Travis.
Waddell.	Young.

Nays—24.

Albritton.	Kennedy.
Allred.	King.
Bond.	Magee.
Bradley.	Metcalf.
Carpenter.	Morse.
Eickenroht.	Purl.
Hardy.	Renfro.
Hines.	Riley.
Jenkins.	Shelton.
Johnson of Smith.	Snelgrove.
Justiss.	Storey.
Keller.	Tillotson.

Present—Not Voting.

Anderson.	Martin.
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Absent.

Mr. Speaker.	McCombs.
Acker.	Minor.
Bateman.	Montgomery.
Dunlap.	Mullally.
Duvall.	Murphy.
Fuchs.	Nicholson.
Harman.	O'Neill.
Hefley.	Reid.
Hopkins.	Richardson.
Kayton.	Shaver.
Kenyon.	Stevenson.
Land.	Turner.
Loy.	Veatch.
Mauritz.	Westbrook.

Absent—Excused.

Baldwin.	Savage.
Ewing.	Strong.
Finn.	Thompson.
McKean.	Warwick.
Pool.	Wiggs.
Prendergast.	Woodruff.

Mr. Barnett moved a call of the House for the purpose of maintaining a quorum until House bill No. 35 is disposed of, and the call was duly ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the

Hall without permission from the Speaker.

Mr. Kemble raised a point of order on further consideration of the bill, on the ground that the bill is not properly before the House.

The Speaker overruled the point of order.

Mr. Morse moved that the House adjourn until 10 o'clock a. m. tomorrow.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—17.

Bounds.	Marks.
Enderby.	Mehl.
Eickenroht.	Morse.
Hardy.	Nicholson.
Harding.	Patterson.
Harman.	Tillotson.
Jenkins.	Webb.
Kemble.	Williams
Long of Wichita.	of Sabine.

Nays—101.

Mr. Speaker.	Hornaday.
Ackerman.	Hubbard.
Adkins.	Johnson
Albritton.	of Dallam.
Allred.	Johnson
Anderson.	of Dimmit.
Avis.	Johnson of Smith.
Baker.	Johnson of Scurry.
Barnett.	Jones.
Bateman.	Justiss.
Beck.	Kayton.
Bond.	Keeton.
Bradley.	Keller.
Brice.	Kennedy.
Brooks.	Kincaid.
Carpenter.	King.
Chastain.	Kinnear.
Coltrin.	Lee.
Conway.	Long of Houston.
Cox of Lamar.	Magee.
Cox of Limestone.	Mankin.
Davis.	Martin.
DeWolfe.	Mauritz.
Dunlap.	Maynard.
Farrar.	McDonald.
Finlay.	McGill.
Forbes.	Metcalf.
Gates.	Moore.
Gilbert.	Mosely.
Giles.	Negley.
Graves	Olsen.
of Williamson.	Palmer.
Graves of Erath.	Pavlica.
Harper.	Petsch.
Harrison.	Pope of Jones.
Heaton.	Pope of Nueces.
Hines.	Purl.
Hogg.	Quinn.
Holder.	Ray.
Hopkins.	Reader.

Renfro.
Riley.
Rogers.
Rountree.
Sanders.
Shelton.
Sherrill.
Simmons.
Sinks.
Snelgrove.
Speck.
Stephens.
Storey.

Tarwater.
Terrell.
Van Zandt.
Waddell.
Wallace.
Walters.
West.
Westbrook.
Williams
of Hardin.
Williams
of Travis.
Young.

Absent.

Acker.
Duvall.
Fuchs.
Hefley.
Kenyon.
Land.
Lemens.
Loy.
McCombs.
Minor.

Montgomery.
Mullally.
Murphy.
O'Neill.
Reid.
Richardson.
Shaver.
Stevenson.
Turner.
Veatch.

Absent—Excused.

Baldwin.
Ewing.
Finn.
McKean.
Pool.
Prendergast.

Savage.
Strong.
Thompson.
Warwick.
Wiggs.
Woodruff.

House bill No. 35 was then passed by the following vote:

Yeas—107.

Mr. Speaker.
Ackerman.
Adkins.
Albritton.
Allred.
Avis.
Baker.
Barnett.
Bateman.
Beck.
Bond.
Bradley.
Brice.
Brooks.
Carpenter.
Chastain.
Coltrin.
Conway.
Cox of Lamar.
Cox of Limestone.
Davis.
DeWolfe.
Dunlap.
Enderby.
Eickenroht.
Farrar.
Finlay.

Forbes.
Gates.
Gilbert.
Giles.
Graves
of Williamson.
Graves of Erath.
Hardy.
Harper.
Heaton.
Hines.
Hogg.
Holder.
Hopkins.
Hornaday.
Hubbard.
Jenkins.
Johnson
of Dallam.
Johnson
of Dimmit.
Johnson of Smith.
Johnson of Scurry.
Jones.
Justiss.
Keeton.
Keller.

Kennedy.
Kincaid.
King.
Kinnear.
Lee.
Lemens.
Long of Houston.
Magee.
Mankin.
Marks.
Martin.
Mauritz.
Maynard.
McDonald.
McGill.
Mehl.
Metcalf.
Murphy.
Negley.
Olsen.
Palmer.
Patterson.
Pavlica.
Petsch.
Pope of Jones.
Purl.
Ray.

Reader.
Renfro.
Riley.
Rogers.
Rountree.
Sanders.
Shelton.
Sherrill.
Simmons.
Sinks.
Snelgrove.
Speck.
Stephens.
Storey.
Tarwater.
Terrell.
Van Zandt.
Waddell.
Wallace.
Walters.
West.
Westbrook.
Williams
of Sabine.
Williams
of Travis.
Young.

Nays—16.

Anderson.
Bounds.
Harding.
Harman.
Harrison.
Kayton.
Kemble.
Long of Wichita.
Moore.

Morse.
Nicholson.
Pope of Nueces.
Quinn.
Tillotson.
Webb.
Williams
of Hardin.

Absent.

Acker.
Duvall.
Fuchs.
Hefley.
Kenyon.
Land.
Loy.
McCombs.
Minor.
Montgomery.

Mosely.
Mullally.
O'Neill.
Reid.
Richardson.
Shaver.
Stevenson.
Turner.
Veatch.

Absent—Excused.

Baldwin.
Ewing.
Finn.
McKean.
Pool.
Prendergast.

Savage.
Strong.
Thompson.
Warwick.
Wiggs.
Woodruff.

Mr. Sanders moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

Reason for Vote.

I voted "nay" on House bill No. 35,

as I am against the idea of raising revenue through taxation until the Governor advises us the amount of money necessary to meet the demands of the present emergency.

KAYTON.

Mr. Petsch moved a call of the House for the purpose of maintaining a quorum until 6:30 o'clock p. m. today, and the call was duly seconded.

Question recurring on the motion for the call of the House, it was lost.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed:

S. B. No. 41, A bill to be entitled "An Act to amend Chapter 8, Title 128, Revised Civil Statutes of Texas, by adding thereto Article 8197a, authorizing any district that may have availed itself of the provisions of Article 8195 and become a conservation and reclamation district to issue bonds of said district for the purpose of refunding any indebtedness incurred prior to the time of such change and to levy a tax in payment thereof, and declaring an emergency."

S. B. No. 85, A bill to be entitled "An Act to amend Section 12 of the act of the Twenty-eighth Legislature creating a road system for Palo Pinto and Bosque counties, being Chapter 22, Special Laws, 1930, as amended by Chapter 19, Special Laws, 1913, which Section 12 was added by Chapter 12, Special Laws of the Forty-first Legislature at its Second Called Session; authorizing the commissioners court of Palo Pinto county, Texas, to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes in Palo Pinto county and to levy a tax in payment thereof, and declaring an emergency."

S. B. No. 57, A bill to be entitled "An Act limiting the power of the commissioners court in making contracts in connection with the collection of delinquent taxes; limiting the amount that can be paid under said contracts, and declaring an emergency."

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed:

S. B. No. 38, A bill to be entitled "An Act to amend Article 5440 of the Revised Civil Statutes of the State of Texas, adopted in 1925, authorizing the appointment of a State Librarian, defining the qualifications and duties, prescribing the compensation thereof, and declaring an emergency."

S. B. No. 87, A bill to be entitled "An Act providing that it shall be lawful to use shrimp trawls of certain specified size for the purpose of taking shrimp of any size for bait in any of the tidal waters of this State; providing that shrimp of any size may be taken with a minnow seine of not more than twenty feet in length or with a cast net; providing that no shrimp taken for bait may be sold for bait unless the person taking them has a fisherman's license."

S. B. No. 88, A bill to be entitled "An Act providing a daily bag limit and a possession limit on wild ducks and wild geese that are killed, taken or possessed during the open season, and repealing any provisions of the law in conflict with this act; making it unlawful to take or kill or have in possession wild ducks or wild geese in excess of such limit; providing a penalty and declaring an emergency."

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

Senate bill No. 84, to the Committee on Agriculture.

Senate bill No. 87, to the Committee on Game and Fisheries.

Senate bill No. 88, to the Committee on Game and Fisheries.

Senate bill No. 89, to the Committee on Conservation and Reclamation.

Senate bill No. 90, to the Committee on Conservation and Reclamation.

Senate bill No. 91, to the Committee on Conservation and Reclamation.

Senate bill No. 92, to the Committee on Conservation and Reclamation.

Senate bill No. 93, to the Committee on Conservation and Reclamation.

Senate bill No. 102, to the Committee on Agriculture.

Senate bill No. 10, to the Committee on State Affairs.

Senate bill No. 27 to the Committee on Education.

Senate bill No. 38 to the Committee on State Affairs.

Senate bill No. 63 to the Committee on Game and Fisheries.

BILL LAID ON THE TABLE SUBJECT TO CALL.

On motion of Mr. Ray, House bill No. 30 was laid on the table subject to call.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed:

H. B. No. 41, A bill to be entitled "An Act to amend Chapter 70, Special Laws passed at the Regular Session of the Forty-first Legislature, the same being an act creating and validating Hidalgo and Cameron Counties Water Control and Improvement District No. 9, in Hidalgo and Cameron counties, by adding to said chapter a new section numbered 8a, validating bond election held on the 7th day of September, 1929, and the bonds issued pursuant thereto."

H. B. No. 68, A bill to be entitled "An Act providing an open season or a period of time when it shall be lawful to hunt, take or kill wild mourning doves in the north and south zones, as such zones are defined in Article 878 of the Revised Penal Code, as amended by Chapter 222, page 326, Acts of the Fortieth Legislature, Regular Session, and repealing any provision of the law in conflict with this act."

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to

inform the House that the Senate has passed:

S. C. R. No. 13, Authorizing the Governor to employ and use idle prison labor in the construction of roads and beautification of a State park in the Davis Mountains.

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed:

S. B. No. 62, A bill to be entitled "An Act providing for the appointment or election and term of office of school trustees in all independent districts having fewer than 75,000 population by the Federal Census of 1920 and for all consolidated and rural high school districts; adjusting the term of office of trustees now in office; providing for filling of all vacancies; providing for the date of first election under this act; repealing all laws both general and special in conflict herewith, and declaring an emergency."

H. B. No. 9, A bill to be entitled "An Act to amend Articles 2994, 3883, 3886, 3889, 3891, 3892, 3895, 3897, 3899, 3926, 3934, 7331 and 7332 of the Revised Civil Statutes of Texas for 1925, repealing Articles 3887, 3900, 3912 and 3932 of the Revised Civil Statutes of Texas for 1925 and all laws in conflict, all of said amended and repealed articles relative to fees and compensation of county officers, providing any unconstitutional parts of this act shall not affect the remainder, declaring an emergency, and providing said act shall become effective on January 1, 1931," as substituted.

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

HOUSE BILL NO. 9 WITH SENATE AMENDMENTS.

Mr. Hubbard called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 9, A bill to be entitled "An Act to amend Articles 2994, 3883, 3886, 3889, 3891, 3892, 3895, 3897, 3899, 3926, 3934, 7331 and 7332 of the Re-

vised Civil Statutes of Texas for 1925, repealing Articles 3887, 3900, 3912 and 3932 of the Revised Civil Statutes of Texas for 1925 and all laws in conflict, all of said amended and repealed articles relative to fees and compensation of county officers, providing any unconstitutional parts of this act shall not affect the remainder, declaring an emergency, and providing said act shall become effective on January 1, 1931."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Hubbard moved that the House do not concur in the Senate amendments, and that a free conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

In accordance with the above action the Speaker announced the appointment of the following committee:

Messrs. Hubbard, Storey, Purl, Rountree, and Keller.

TO AMEND CERTAIN HOUSE RULES.

Mr. Petsch offered the following resolution:

Be it Resolved by the House of Representatives, That Rule 21, with reference the Committee of the Whole House, be amended by striking out Section 10 and add two new sections, reading as follows:

"Section 10. The quorum for the Committee of the Whole House shall be a majority of the members elected to the House of Representatives.

"Section 11. The rules of proceedings in the House shall be observed in Committees of the Whole House so far as they may be applicable and not in conflict with any sections of this rule."

The resolution was read second time.

Mr. Petsch moved that the House rule which requires that an amendment to the rules be first referred to the Committee on Rules be suspended.

The motion prevailed by the following vote:

Yeas—95.

Mr. Speaker.	Coltrin.
Ackerman.	Conway.
Adkins.	Cox of Lamar.
Allred.	Cox of Limestone.
Anderson.	Davis.
Avis.	DeWolfe.
Baker.	Dunlap.
Barnett.	Enderby.
Bateman.	Farrar.
Bond.	Finn.
Brice.	Forbes.
Chastain.	Gates.

Gilbert.	Mosely.
Giles.	Negley.
Graves	Olsen.
of Williamson.	Palmer.
Graves of Erath.	Pavlica.
Hardy.	Petsch.
Harman.	Pope of Jones.
Harper.	Pope of Nueces.
Heaton.	Purl.
Hines.	Quinn.
Holder.	Reader.
Hopkins.	Renfro.
Hornaday.	Riley.
Hubbard.	Rogers.
Johnson	Rountree.
of Dallam.	Sanders.
Johnson	Shelton.
of Dimmit.	Sherrill.
Johnson of Smith.	Simmons.
Justiss.	Sinks.
Kayton.	Speck.
Keeton.	Stephens.
Keller.	Tarwater.
Kemble.	Terrell.
Kincaid.	Tillotson.
Kinnear.	Van Zandt.
Lee.	Wallace.
Lemens.	Walters.
Magee.	Webb.
Marks.	West.
Martin.	Westbrook.
Mauritz.	Williams
Maynard.	of Sabine.
McDonald.	Williams
McGill.	of Hardin.
Metcalf.	Williams
Moore.	of Travis.
Morse.	Young.

Nays—7.

Albritton.	Kennedy.
Bounds.	King.
Brooks.	Storey.
Finlay.	

Absent.

Acker.	Mankin.
Beck.	McCombs.
Bradley.	Mehl.
Carpenter.	Minor.
Duvall.	Montgomery.
Eickenroht.	Mullally.
Fuchs.	Murphy.
Harding.	Nicholson.
Harrison.	O'Neill.
Hefley.	Patterson.
Hogg.	Ray.
Jenkins.	Reid.
Johnson of Scurry.	Richardson.
Jones.	Shaver.
Kenyon.	Snelgrove.
Land.	Stevenson.
Long of Houston.	Turner.
Long of Wichita.	Veatch.
Loy.	Waddell.

Absent—Excused.

Baldwin.	Strong.
Ewing.	Thompson.
McKean.	Warwick.
Pool.	Wiggs.
Prendergast.	Woodruff.
Savage.	

(Pending consideration of the resolution, Mr. Kemble occupied the chair temporarily.)

(Speaker in the chair.)

Question then recurring on the resolution, it was lost.

RELATING TO ABSENT MEMBERS.

On motion of Mr. Purl the Speaker was instructed to wire all absent members to be present at 10 o'clock a. m. next Monday.

BILLS AND RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolution:

H. C. R. No. 20, Relating to recognition of Major General Will E. Jacks.

H. B. No. 32, "An Act amending subdivision 1, Article 199, Title 8, of the Revised Civil Statutes of the State of Texas, which subdivision relates to the district court of the First Judicial District of Texas, and to fix the number of terms and the places and time for holding said court, and to conform all writs and process from such court to such changes, and to make all writs and process issued or served before this act takes effect, including recognizances and bonds, returnable to the terms of said court as herein fixed, and to validate the drawing and the selecting and the summoning of all grand and petit jurors for said court."

H. B. No. 41, "An Act to amend Chapter 70, Special Laws, passed at the Regular Session of the Forty-first Legislature, the same being an act creating and validating Hidalgo and Cameron Counties Water Control and Improvement District No. 9, in Hidalgo and Cameron counties, by adding to said chapter a new section numbered 8a, validating bond election held on the 7th day of September, 1929, and the bonds issued pursuant thereto."

H. B. No. 68, "An Act providing an open season or a period of time when it shall be lawful to hunt, take or kill wild mourning doves in the north and

south zones, as such zones are defined in Article 878 of the Revised Penal Code, as amended by Chapter 222, page 326, Acts of the Fortieth Legislature, Regular Session, and repealing any provision of the law in conflict with this act."

BILLS ORDERED NOT PRINTED.

(By Unanimous Consent.)

On motion of Mr. Westbrook, Senate bill No. 84 was ordered not printed.

On motion of Mr. Hubbard, Senate bill No. 10 and House bill No. 100 were ordered not printed.

On motion of Mr. Finlay, Senate bills Nos. 64 and 79 were ordered not printed.

On motion of Mr. Pope of Nueces, House bill No. 92 was ordered not printed.

On motion of Mr. Tillotson, Senate bills Nos. 70, 71 and 72 were ordered not printed.

On motion of Mr. Bateman, Senate bill No. 102 was ordered not printed.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for the appointment of a Free Conference Committee to adjust the differences on House bill No. 9.

The following are appointed on part of the Senate: Parrish, DeBerry, Williamson, Woodul, Hardin.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

RECESS.

On motion of Mr. Pope of Nueces, the House, at 6:10 o'clock p. m., took recess to 7:30 o'clock p. m. today.

NIGHT SESSION.

The House met at 7:30 o'clock p. m. and was called to order by the Speaker.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

Senate bill No. 85, to the Committee on Highways and Motor Traffic.

Senate bill No. 62, to the Committee on Education.

Senate bill No. 41 to the Committee on Conservation and Reclamation.

Senate bill No. 57 to the Committee on State Affairs.

HOUSE BILL NO. 63 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 63, A bill to be entitled "An Act to amend Article 7005, Chapter 7, Title 121, of the Revised Civil Statutes of 1925, as amended by the Acts of the Fortieth Legislature, so as to exempt the county of Parmer from the provisions of the said act."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 86 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 86, A bill to be entitled "An Act to amend Sections 2a and 2b of Chapter — of the Local and Special Laws enacted by the Thirty-third Legislature at its Regular Session in 1913, same being special road law for Childress county, which Sections 2a and 2b were added by Chapter 279 of the General and Special Laws of the Forty-first Legislature at its Regular Session in 1929; authorizing the commissioners court of Childress county to issue bonds in said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof, providing limitations upon the issuance of warrants for road and bridge purposes, and exceptions therefrom, and declaring an emergency."

The bill was read second time.

Mr. Murphy offered the following (committee) amendment to the bill:

"From and after the taking effect of this act, it shall be unlawful for the commissioners court of Childress county to issue or cause to be issued any warrant, scrip, or other evidence of indebtedness, or to create any debt against the road and bridge fund of said county, except as authorized by this act, in excess of the current revenues of said county for road and bridge purposes; provided, that in case of great calamity, said court may issue

warrants against the road and bridge fund in excess of the current revenues, for the purpose of repairing roads and building bridges occasioned by such calamity, but in no instance shall such warrants exceed the limitations provided by the Constitution and laws of this State; and provided further that no warrant shall be issued for such purposes until first authorized by order passed by said court, and provided further that said order shall recite fully the necessity therefor and particularly specify the several purposes for which said warrants are to be issued, which said order shall be spread upon the minutes of said court, and shall be published at least one time in some newspaper published in Childress county before said warrants are issued. If no newspaper is being published in said county, then in some newspaper in an adjoining county nearest the county seat of said Childress county."

The amendment was adopted.

House bill No. 86 was then passed to engrossment.

HOUSE BILL NO. 93 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 93, A bill to be entitled "An Act authorizing the commissioners court in any county having a population of not less than 21,900 and not more than 22,000 according to the United States Census of 1920 to allow each county commissioner certain expenses for traveling in connection with official business, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 94 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 94, A bill to be entitled "An Act to provide a special county road law for Austin county, Texas; declaring county commissioners shall be ex-officio road supervisors of their respective precincts, subject to the direction of the commissioners court, and charge of all road equipment for the building and maintenance of roads in their respective precincts; and defining the authority and duties of said commissioners as road supervisors; requiring bond of such commissioners as road

supervisors, and requiring the keeping of certain accounts; providing for the purchase of materials and supplies necessary in the discharge of duties imposed, and for the employment of necessary labor."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 87 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 87, A bill to be entitled "An Act to provide and regulate size of certain fish caught in Harrison county, Texas; providing a penalty, and declaring an emergency."

The bill was read second time.

Mr. Finlay offered the following amendment to the bill:

Committee amendment No. 1, to House bill No. 87, change date to go in effect to June 1, 1930.

The amendment was adopted.

House bill No. 87 was then passed to engrossment.

HOUSE BILL NO. 98 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 98, A bill to be entitled "An Act to amend the special road law for Rockwall county, Texas, enacted by the Regular Session of the Thirty-sixth Legislature, 1919, the same being an act providing for the payment of the commissioners of Rockwall county, Texas, while acting as ex-officio road superintendents in their various precincts of said Rockwall county, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 99 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 99, A bill to be entitled "An Act providing for a closed season in Stephens county upon quail and all fur-bearing animals for a period of three years, and providing for certain exceptions to fur-bearing animals, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 97 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 97, A bill to be entitled "An Act amending House bill No. 177, passed by the Second Called Session of the Forty-first Legislature, prescribing the kind of tackle and method of taking fish in fresh waters in certain counties and prohibiting all other tackle; prohibiting possession of any tackle not authorized by this act within 200 yards of any fresh waters mentioned herein; exempting the waters of the Colorado and Rio Grande rivers from the provisions of this act; prohibiting the sale, offering for sale or having in possession for the purpose of sale of certain species in said counties."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 96 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 96, A bill to be entitled "An Act creating a special road law for Angelina county, Texas, requiring surety bonds of road overseers, containing provision that said county may fund the legal indebtedness outstanding against its road and bridge fund as of January 1, 1930, setting forth the method of said operation; providing limitations upon the issuance of warrants for road and bridge purposes, and exceptions therefrom, and declaring an emergency."

The bill was read second time and was passed to engrossment.

SENATE BILL NO. 64 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 64, A bill to be entitled "An Act repealing Chapter 88, page 219, of the Acts of the First Called Session of the Forty-first Legislature, prohibiting the sale of fresh water fish during the months of March and April in Cass, Bowie, Morris and Titus counties, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 70 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 70, A bill to be entitled "An Act ratifying and validating Liberty County Drainage District No. 2, Liberty County, Texas, converting said district into a conservation and reclamation district, without change of name and without impairment of its obligations; providing that said district shall henceforth be entitled to the benefits of the enlarged powers conferred by Article 16, Section 59, of the Constitution of Texas; determining that the conversion of said district into a conservation and reclamation district under Section 59 of Article 16 of the Constitution will benefit the citizens and property within said district; providing that all limitations of indebtedness authorized to be incurred and taxes to be levied imposed by Section 52 of Article 3 of the Constitution, and all laws under which said district was organized are removed, and that henceforth all indebtedness against said district and all taxes levied in payment thereof shall be under Section 59 of Article 16 of the Constitution of Texas and laws enacted pursuant thereto; determining that the constitutional notice required for the enactment of local or special laws has been given in the manner and form required by law, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 71 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 71, A bill to be entitled "An Act ratifying and validating Old River Drainage District of Liberty County, Texas, No. 1, in Liberty County, Texas; converting said district into a conservation and reclamation district, without change of name and without impairment of its obligations; providing that said district shall henceforth be entitled to the benefits of the enlarged powers conferred by Article 16, Section 59, of the Constitution of Texas; determining that the conversion of said district into a conservation and reclamation district under Section 59 of Article 16 of the Constitution will benefit the citizens and property within said district; providing that all limitations

of indebtedness authorized to be incurred and taxes to be levied imposed by Section 52 of Article 3 of the Constitution and all laws under which said district was organized are removed, and that henceforth all indebtedness against said district and all taxes levied in payment thereof shall be under Section 59 of Article 16 of the Constitution of Texas and laws enacted pursuant thereto; determining that the constitutional notice required for the enactment of local or special laws has been given in the manner and form required by laws, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 72 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 72, A bill to be entitled "An Act ratifying and validating Liberty County Improvement District No. 1, in Liberty County, Texas; converting said district into a conservation and reclamation district, without change of name and without impairment of its obligations; providing that said district shall henceforth be entitled to the benefits of the enlarged powers conferred by Article 16, Section 59, of the Constitution of Texas; determining that the conversion of said district into a conservation and reclamation district under Section 59 of Article 16 of the Constitution will benefit the citizens and property within said district; providing that all limitations and indebtedness authorized to be incurred and taxes to be levied imposed by Section 52 of Article 3 of the Constitution and all laws under which said district was organized are removed, and that henceforth all indebtedness against said district and all taxes levied in payment thereof shall be under Section 59 of Article 16 of the Constitution of Texas and laws enacted pursuant thereto; determining that the constitutional notice required for the enactment of local or special laws has been given in the manner and form required by law, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 79 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 79. A bill to be entitled "An Act regulating the killing of wild turkeys in the counties composing the Third, Fifth and Fourteenth Senatorial Districts."

The bill was read second time and was passed to third reading.

HOUSE BILL NO. 13 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 13. A bill to be entitled "An Act making it unlawful for any person to transport any live wolf, or to possess or receive for the purpose of transporting or turning loose or to turn loose any wild wolf, providing that it shall not be unlawful for certain persons to transport, possess or receive any live wolf for exhibition purposes; prescribing penalties, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 23 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 23. A bill to be entitled "An Act amending Article 3268, Revised Statutes, 1925, providing that municipal corporations shall not be required to post a bond in condemnation proceedings and shall not be required to deposit double the amount of the award by the commissioners, and declaring an emergency."

The bill was read second time and was passed to engrossment.

CALL OF THE HOUSE ORDERED.

Mr. Petsch moved a call of the House for the purpose of maintaining a quorum, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Holder, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

ADJOURNMENT.

On motion of Mr. Tillotson, the

House, at 8:40 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, February 13, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 32. A bill to be entitled "An Act amending subdivision 1, Article 199, Title 8, Revised Civil Statutes, etc.,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 68. A bill to be entitled "An Act providing an open season or a period of time when it shall be lawful to hunt, take or kill wild mourning doves in the north and south zones, as such zones are defined in Article 878 of the Revised Penal Code, as amended by Chapter 222, page 326, Acts of the Fortieth Legislature, Regular Session, and repealing any provision of the law in conflict with this act; making it unlawful to hunt, take or kill wild mourning doves at any other time of the year; providing a penalty, and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 29. A bill to be entitled "An Act amending Chapter 54 of the General Acts of the First Called Session of the Fortieth Legislature, also known as Section 3, contained in Chapter 54, of the First Called Session of the Fortieth Legislature, so as to fix the compensation and working of the grand

jury bailiffs of the Thirty-seventh and Ninety-fourth Criminal District Courts of Bexar county, Texas, and any other criminal district courts that hereafter may be created in said county of Bexar for both walking and riding grand jury bailiffs, said working days to be not less than six days per week, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,

Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 72, A bill to be entitled "An Act making it unlawful to shoot at, or kill any wild deer or wild turkey in San Saba and Harrison counties; providing a penalty, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,

Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 71, A bill to be entitled "An Act authorizing the commissioners court to pay bounties on wolf scalps in Jack and Wise counties to preserve game in said counties; enacting the necessary regulations in reference thereto, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,

Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 69, A bill to be entitled "An Act repealing Chapter 88, page 219, of the Acts of the First Called Session of the Forty-first Legislature, prohibiting the sale of fresh water fish during the months of March and April in Cass, Bowie, Morris and Titus counties, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,

Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 22, A bill to be entitled "An Act amending Article 2094 of the Revised Civil Statutes of 1925, relating to the selection of jurors for service in the district and county courts, so as to make said article apply in any county having a population of at least 58,000 or having therein a city containing a population of at least 20,000, and in any county shown by the last United States Census to have a population of not less than 37,500 and not more than 38,000, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,

Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 74, A bill to be entitled "An Act to amend Section 12 of Acts of Twenty-eighth Legislature, creating a road system for Palo Pinto and Bosque counties, being Chapter 22, Special Laws, 1903, as amended by Chapter 19, Special Laws, 1913, which Section 12 was added by Chapter 12, Special Laws of the Forty-first Legislature at its Second Called Session; authorizing the commissioners court of Palo Pinto county, Texas, to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes in Palo Pinto county and to levy a tax in payment thereof, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,

Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 12, A bill to be entitled "An Act to repeal Chapter 67, Special Laws of the Thirty-second Legislature of 1919, entitled 'Mason County Road System, Creation of,' and all amend-

ments thereto, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room.

Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 89, A bill to be entitled "An Act amending Section 1 of Chapter 27, Acts Forty-first Legislature, Second Called Session, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room.

Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 21, A bill to be entitled "An Act providing that the county commissioners court of Hays county shall have the power either upon its own motion or upon petition to order the owners of land across which any third class or neighborhood road runs to remove any gates or other obstructions thereon across said road, and provided that commissioners court may permit the construction and placing of cattle guards or gaps by such land owners across such roads, and providing for the placing of a gate near such cattle guards or gaps for general use by the public, and providing that the owners of the land through which said road runs and on which said gates are shall be notified at least ten days and given a hearing on whether such gates shall be removed or not,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room.

Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 43, A bill to be entitled "An Act relating to the duties of the county board of trustees and county superintendent of counties with an area

of 977 square miles and a population of not less than 15,000 nor more than 16,000, according to the 1920 Federal census; authorizing the county board of trustees to rearrange and resubdivide all the territory of their respective counties into convenient school districts,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room.

Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 59, A bill to be entitled "An Act to amend Chapter 8, Title 128, Revised Civil Statutes of Texas, by adding thereto Article 8197a, authorizing any district that may have availed itself of the provisions of Article 8195 and become a conservation and reclamation district, to issue bonds of said district for the purpose of refunding any indebtedness incurred prior to the time of such change, and to levy a tax in payment thereof, and declaring an emergency."

Have carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room.

Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 49, A bill to be entitled "An Act providing that the clerk of each Court of Civil Appeals, Criminal Appeals, Commission of Appeals, and the clerk of the Supreme Court, shall furnish to the district judge of the trial court where the case was originally tried a copy of the opinion of such appellate court as may be rendered within three days after the opinion is rendered, and the cost of such opinion shall not exceed \$1.00 and shall be charged as costs, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

DeWOLFE, Acting Chairman.

Committee Room.

Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 91, A bill to be entitled "An Act to amend Article 6834 of the Revised Civil Statutes of the State of Texas, 1925, relating to the manner of holding elections for the issuing of seawall bonds, and the application of funds, under Title 118 of said Revised Civil Statutes, and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

DeWOLFE, Acting Chairman.

Committee Room,

Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 76, A bill to be entitled "An Act to amend an act of the Thirty-fourth Legislature, entitled 'An Act to create a more efficient road system for Lavaca County, being Chapter 75, Local and Special Laws, Regular Session, 1915,' by adding thereto Section 18, authorizing the commissioners court of Lavaca county to issue bonds of said county for funding indebtedness incurred for road and bridge purposes in said county, and to levy a tax in payment thereof, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room.

Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 25, A bill to be entitled "An Act to amend Section 4 of Chapter 91 of the General and Special Laws of the First Called Session of the Fortieth Legislature, so as to provide for expenses of the rural school supervisor as well as salary in the counties affected by said Chapter 91, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

DeWOLFE, Acting Chairman.

Committee Room,

Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 56, A bill to be entitled

"An Act repealing all of Chapter Nine (9), including Sections 1, 2, 3, 4, 5 and 6, Acts of the Third Called Session of the Forty-first Legislature, and providing that in counties having a population of 41,100 to 41,500, according to the last Federal census, and a scholastic population of at least 10,755 as shown by the scholastic report for the last preceding school year, shall be exempt from holding a teachers' institute for rural teachers and teachers of independent districts of less than 10,000 population and exempt such teachers from attendance upon a teachers' institute, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

DeWOLFE, Acting Chairman.

Committee Room,

Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 24, A bill to be entitled "An Act validating the actions of the county board of school trustees in changing common school districts and their boundary lines in counties having a population of not less than 1010 nor more than 1025, according to the United States Federal census of 1920; giving the county board of school trustees in said counties authority to make changes in all common school districts, to create common school districts, to subdivide, to combine or to abolish common school districts; giving the county board of school trustees in said counties authority to establish rural high school districts containing an area of more than 100 square miles and composed of two or more elementary school districts,"

Has carefully compared same and find it correctly engrossed.

DeWOLFE, Acting Chairman.

Committee Room,

Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 9, A bill to be entitled "An Act to amend Articles 3891, 3892, 3897 and 3937 and repeal Articles 3900, 3932 and 3894, all of the Revised Civil Statutes of Texas, 1925; repealing laws in conflict; providing if any portion of this act is declared to be invalid the remainder shall not be affected, and

providing that said act shall be in effect on and after January 1, 1931."

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room.

Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 44, A bill to be entitled "An Act creating a special road law for Wise county, Texas, prescribing how the commissioners court thereof may close certain local roads, and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

DeWOLFE, Acting Chairman.

Committee Room.

Austin, Texas, February 14, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 90, A bill to be entitled "An Act to amend Section 6 of Chapter 68 of the Acts of the Thirty-sixth Legislature, Regular Session, 1919, relating to the fixing of shipping district in the area patented by virtue of said act and providing for determining, defining and fixing the boundary line between the property of private citizens along the shore line of Corpus Christi Bay; repealing all laws in conflict herewith, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

SEVENTEENTH DAY.

(Saturday, February 15, 1930.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called and developed the fact that there was not a quorum present.

Mr. Rountree moved a call of the House for the purpose of securing a quorum, and the call was duly ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no mem-

ber would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Rountree, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

The roll was again called, and the following members were present:

Mr. Speaker.	King.
Acker.	Kinnear.
Ackerman.	Lemens.
Adkins.	Long of Wichita.
Allred.	Magee.
Avis.	Mankin.
Baker.	Marks.
Barnett.	Martin.
Bateman.	Maynard.
Beck.	McDonald.
Bond.	McGill.
Bounds.	Metcalf.
Brice.	Moore.
Brooks.	Morse.
Carpenter.	Mullally.
Coltrin.	Negley.
Conway.	Nicholson.
Cox of Lamar.	Palmer.
Cox of Limestone.	Patterson.
Davis.	Pavlica.
DeWolfe.	Petsch.
Dunlap.	Pope of Jones.
Duvall.	Pope of Nueces.
Enderby.	Purl.
Eickenroht.	Quinn.
Farrar.	Renfro.
Forbes.	Riley.
Gates.	Rogers.
Giles.	Rountree.
Graves	Sanders.
of Williamson.	Shelton.
Graves of Erath.	Sherrill.
Hardy.	Simmons.
Harding.	Sinks.
Harman.	Snelgrove.
Harper.	Speck.
Harrison.	Stephens.
Heaton.	Strorey.
Hines.	Tarwater.
Hopkins.	Terrell.
Hornaday.	Tillotson.
Hubbard.	Van Zandt.
Jenkins.	Veatch.
Johnson	Wallace.
of Dallam.	Walters.
Johnson	Webb.
of Dimmit.	West.
Johnson of Smith.	Westbrook.
Johnson of Scurry.	Williams
Keeton.	of Sabine.
Keller.	Williams
Kemble.	of Travis.
Kennedy.	Young.
Kincaid.	
	Absent.
Anderson.	Finlay.